





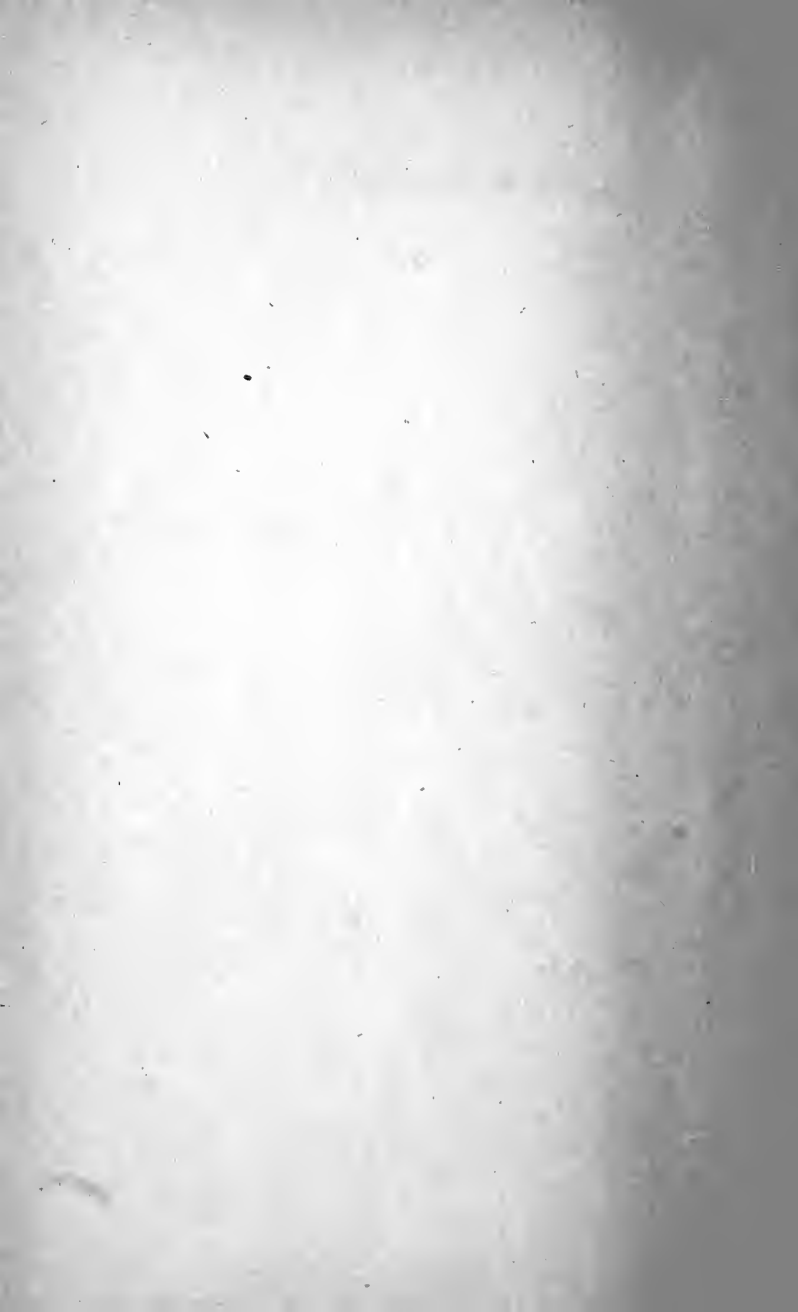
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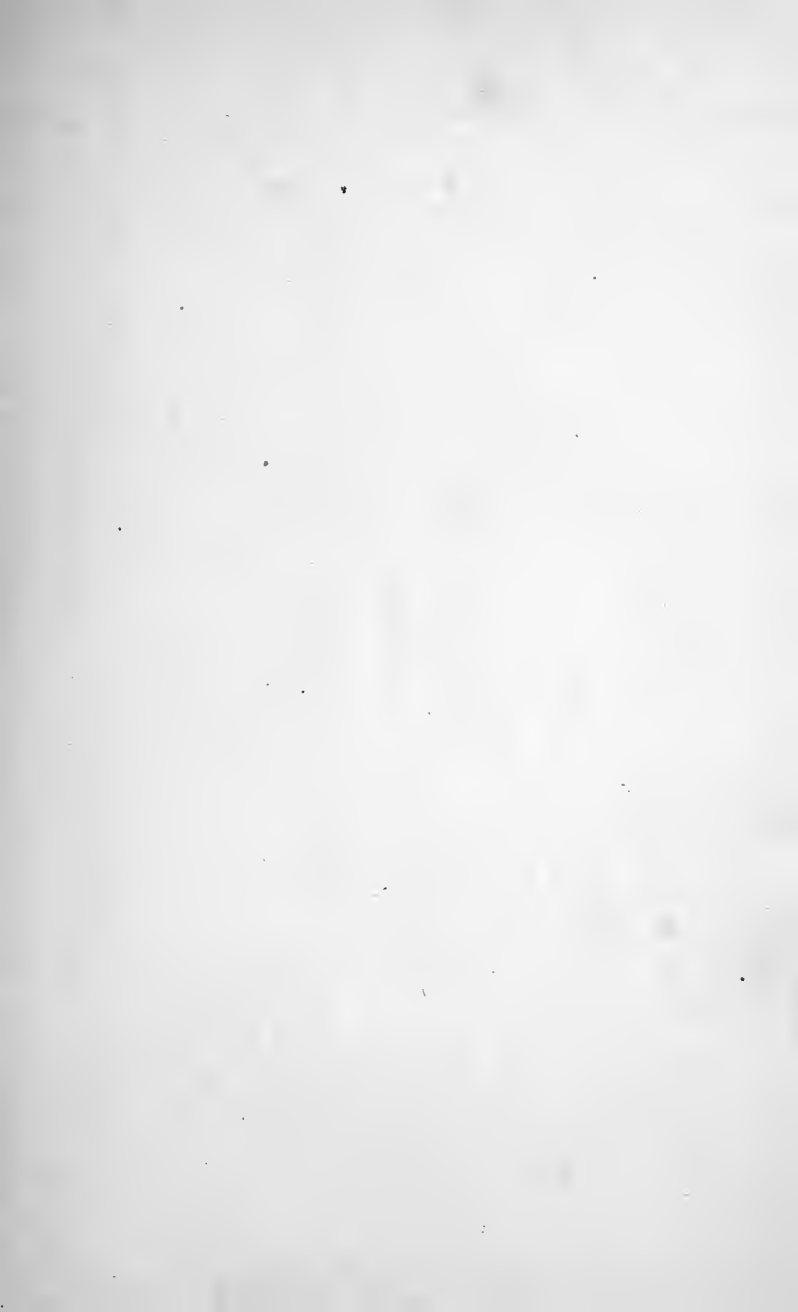
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# JACOB LEISLER







STATUE OF JACOB LEISLER BY SOLON H. BORGLUM, PLACED IN THE GROUNDS OF THE HUGUENOT ASSOCIATION AT NEW ROCHELLE TO COMMEMORATE LEISLER'S GIFT OF LANDS TO THE FIRST SETTLERS OF THAT PLACE.



# JACOB LEISLER

A PLAY OF OLD NEW YORK

BY  
WILLIAM O. <sup>Oscar</sup>BATES

*With an Introductory Note by  
Mrs. Schuyler Van Rensselaer*



NEW YORK  
MITCHELL KENNERLEY  
MCMXIII

PS 3503  
.A858 J2  
1913

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To  
THE SOCIETY OF COLONIAL WARS  
FOUNDED TO PERPETUATE  
THE MEMORY OF  
THE FORBEARS OF AMERICAN FREEDOM AND UNITY  
IS DEDICATED THIS TRIBUTE  
TO THE MOST PICTURESQUE AND TRAGIC FIGURE  
IN ALL ITS LIST OF ANCESTORS



## INTRODUCTION

BY MRS. SCHUYLER VAN RENSSELAER

**W**HEN the story upon which an historical drama has been based is not familiar, the reader or hearer must wish to learn in how far it has been truthfully presented, in how far it has been altered by the dramatist. Of course, the interest and the value of the play depend, primarily, not upon its historical but upon its dramatic qualities; and as it is impossible, if only by reason of the immense complexity of real life, that any past happenings should without alteration fit perfectly into any dramatic scheme, the dramatist may omit much that history records and may also change incidents and modify characters. But changes too numerous or too radical outrage that respect for facts, that reverence for historical verity, which persists no matter how willing we are to judge a play as a play. The true story, we feel, should not be contradicted in essentials; its spirit should not be travestied; its characters may be modified, but should not be metamorphosed.

The story of Jacob Leisler is not well known even in the city where it unrolled itself more than two hundred years ago. For long it was almost forgotten except by a few historians and antiquaries. Only in recent years has it been told in detail in print. Now it is being gradually recalled to mind, largely through the efforts of the City History Club of New York to spread, especially among our school children, a knowledge of our local history in all its phases. Yet to most of Mr. Bates's readers, I fear, his subject-matter will be entirely new. They will be quite unable to compare his drama with the facts upon which he based it.

Therefore he has asked me to aid them in doing so. But I need not write at much length or refer to many details, for the agreement between his facts and his drama is remarkably close. The records of the period which have been preserved are brief and in some parts fragmentary. This means that the need for selection, for omission, was less than is often the case with historical material. On the other hand, the tale as history tells it is so dramatic, and most of those who figure in it, even when we know little about them, are so sharply characterized and contrasted, that the need for invention or for conspicuous modification was also small.

No character in the drama has been invented ex-

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cepting Miss Livingston, who plays a prominent yet a secondary part—who adorns the scene, so to say, and agreeably brightens its atmosphere, without affecting the main trend of the action. In fitting this action for the stage Mr. Bates has necessarily brought certain incidents a little closer together in time. For the sake of dramatic emphasis he has given Leisler a more prominent part in the capture of the Fort and, later on, has given Governor Sloughter a more prominent part in its surrender by Leisler, than the one or the other really played. And, properly to develop the “love affair” which we expect to find important even when it is not the main theme of a play, he has assumed that Mary Leisler and Abraham Gouverneur were lovers in their youth and that Mary married her father’s friend and contemporary, Jacob Milborne, against her will. History does not speak upon these points. It merely records Mary’s marriage with Milborne and, years afterward, her marriage with Gouverneur. But when we study all the records that bear upon their lives—when we see that the two young people must have been intimately associated before and at the time of the first marriage, when we read of Gouverneur’s faithful friendship for Leisler’s son and of his active devotion to Leisler’s memory and to the interests of his family, and then read of the second marriage—it is difficult not to

believe that the facts were as Mr. Bates has assumed them to be. They are so probable that we may well feel that he has divined rather than invented them.

Inventions, however, are certain incidents which Mr. Bates thought essential for dramatic effect toward the end of his play. Nicholas Bayard did not suppress a reprieve for Leisler sent out by King William; and he could not have done so, for King William sent no reprieve. Nor did Bayard assume the sheriff's duty in taking charge of the execution. Moreover, history says nothing of farewell scenes between Leisler and his family, though probably such scenes took place, and nothing of Leisler's peculiar affection for his little daughter, which adds to the grim tragedy a touch of poetic pathos.

These, then, are the main alterations that the dramatist has worked in the theme with which history supplied him. They do not in any way alter the general verity of his version. Judged as a whole, the play is, I think, a true picture of the place and the time, and also a collection of individual portraits as veracious as our scanty information permitted him to draw. There is due warrant for the portrait of Jacob Milborne, excepting, of course, as Mary Leisler's suitor. There is ample warrant for the portrait



of Nicholas Bayard as the "villain" of the play, as the main agent, or, at least, as a main agent, in bringing about the death of Leisler and Milborne. And his character is but little darkened by the incidents that Mr. Bates has imagined. We can hardly doubt that, if the king had sent a reprieve, Bayard would, if possible, have suppressed it; or that he would gladly have put the rope himself about Leisler's neck.

Leisler is a more complicated character. By different hands he has been very variously portrayed. But after a long and thorough study of all the available material relating to him and his actions, his friends and his enemies, I had framed in my own mind a figure very like the one that Mr. Bates shows us.

I may add that Mr. Bates has done wisely in ignoring certain vague claims to honor that have been put forth for Leisler and Milborne by enthusiastic but uncritical hero-worshippers. A patriot, I believe with Mr. Bates, Jacob Leisler was, but certainly not in the sense acquired by the term after the middle of the eighteenth century. To call him, as he has been called, a "proto-martyr of the Revolution" is absurd. In the New York of the end of the seventeenth century there was no thought, there could be no thought, of achieving independence, of shaking off the control

of the crown of England. The only question in dispute was, Who has the right to wear the crown and, therefore, the right to the loyalty of New York? Leisler and his friends made no stand, and wished to make no stand, against the government which had just acquired power in England; they merely labored to resist, in support of this government, the actual and possible claims to authority of the king it had dethroned. "Liberty" meant to them freedom from the yoke of the Stuarts. Moreover, a conscious risking of life for conscience sake is needed to make a martyr, and nothing was farther from Leisler's mind than a thought that, by holding New York for William and Mary, he risked a condemnation for treason.

Mr. Bates adheres closely to the truth in making devotion to William and Mary the main fact of Leisler's career, the leading motive in his policy, the guiding star of his conduct at every step. Whatever one may think of the wisdom of his course, no fair-minded student of the records can deny his unwavering, passionate loyalty to the sovereigns who had overthrown the despotic and "papistical" James. Therefore we may think him a most unfortunate patriot, a hapless victim, although not a martyr or, still less, a "proto-martyr of the Revolution."

I hope, indeed, that Mr. Bates's drama may make

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the story of this remarkable American more familiar to the Americans of to-day and, by awakening their interest in one of the picturesque episodes in the colonial history of New York, may develop a more general and genuine interest in that history as a whole.

M. G. VAN RENSSELAER.



## JACOB LEISLER

ACT I. The Bowling Green, late afternoon, May  
31, 1689.

ACT II. The same scene, an autumn morning, 1689.

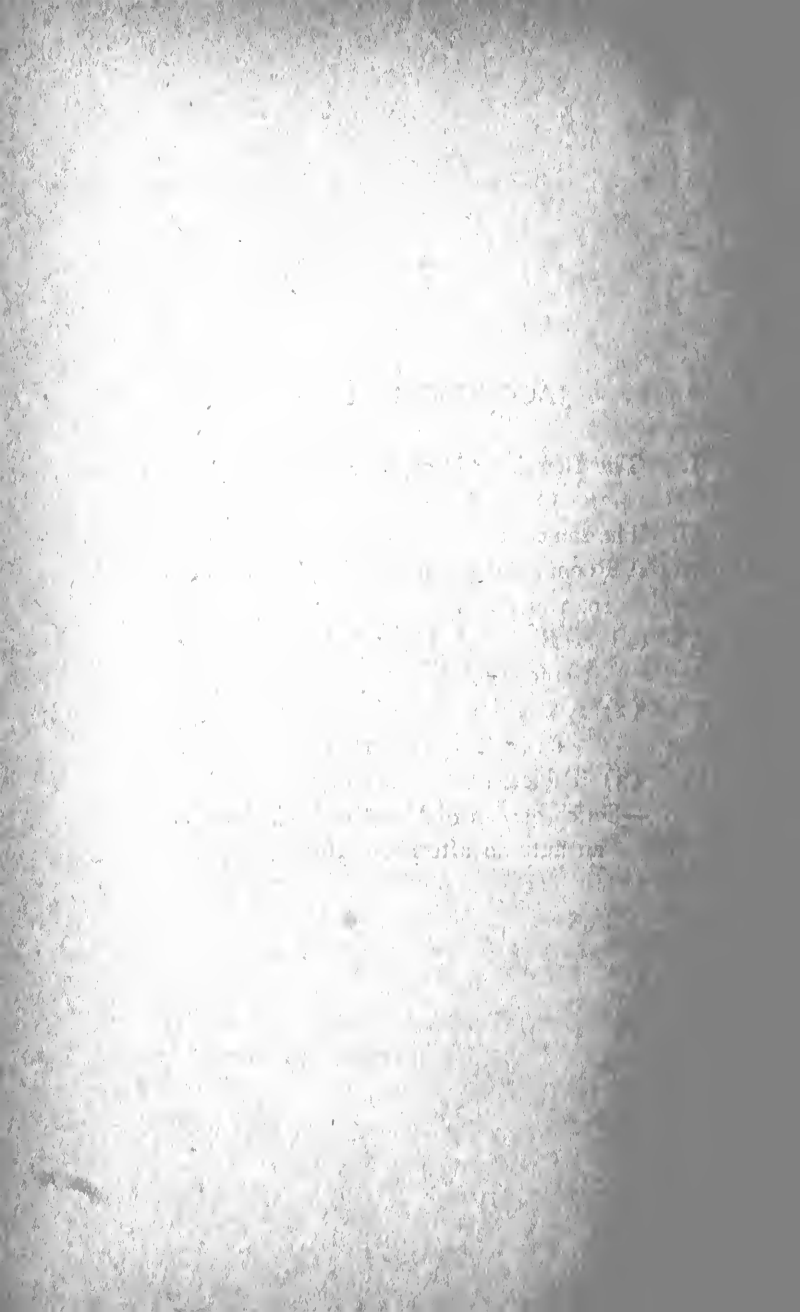
ACT III. A Room in the Fort, the night of March  
19, 1691.

ACT IV. (1) A Room in Colonel Bayard's house,  
the evening of May 14, 1691.

(2) A Room in Leisler's farmhouse, early  
dawn, May 16, 1691.

(3) Tableau: Beginning of a new day.

EPILOGUE—Dutch garden of Van Cortlandt mansion,  
an autumn afternoon, 1695.



## CHARACTERS

JACOB LEISLER: First American Governor elected by the people.

JACOB LEISLER, JR. ['Cobus']: His Son.

ABRAHAM GOUVERNEUR: Clerk of Leisler's Committee of Safety.

JACOB MILBORNE: Secretary of the Province under Leisler.

JOOST STOLL: Ensign in Leisler's Train Band.

STEPHANUS VAN CORTLANDT: Mayor and Member of the Andros Council.

SIR FRANCIS NICHOLSON: Lieutenant-Governor under Andros.

ROBERT LIVINGSTON: Secretary for Indian Affairs under Andros.

COL. NICHOLAS BAYARD: Commander of the Militia and Member of the Andros Council.

FREDERICK PHILIPSE: Member of the Andros Council.

WILLIAM NICOLLS: Attorney-General under Andros.

COL. HENRY SLOUGHTER: Appointed Governor by William III.

MAJOR RICHARD INGOLDSBY: Captain of a Company of English Grenadiers sent with Slougher.

JOHN PERRY: Post-rider between New York and Boston.

JOHN RIGGS: King William's Messenger.

PÈRE MILLET: A French Priest captured by Leisler.

PETER: Col. Bayard's servant.

JOANNA LIVINGSTON: Sister of Robert Livingston.

ALICE LEISLER: Wife of Jacob Leisler.

MARY LEISLER: His daughter.

FRANCINA: His 'baby.'

FRAU STOLL: Wife of Joost Stoll.

Burghers, Artisans, Members of the Train Bands,  
English Soldiers, Sailors, Indians, an Old  
Lamplighter, Women and Children.



# JACOB LEISLER

## ACT I

*The Bowling Green and Fort, New York, late afternoon, May 31, 1689. Extending across the scene at the rear is the high earthwork wall of the Fort, in its centre the wide sallyport with heavy double gates swinging outward and held together within by a bar sliding in staples. Over the gates is a light arch bearing the insignia of James II, the letters 'J R' surmounted by a crown. There are small cannon on the wall, the muzzles turned toward you. In front on your left is Leisler's house, its gable of checkered bricks fronting the street, its high stoop protected by a railing in front and reached by several steps on each side, its ancient date indicated by sprawling wrought-iron figures under the stepped gable. At the right front is another quaint old house with dormer windows. Over the wall of the Fort may be seen the tops of the Governor's house, and of the church, with a glimpse of the bay and Narrows beyond. On the house corners and suspended from the arch there are lanterns.*

*First is heard the air of 'Lilliburlero,' then confused*

*shouting, merging into the singing of this fateful historic song (see notes), during which Joost Stoll, a burly Dutch innkeeper, is seen coming from the right, while a red-coated sentinel paces back and forth in front of the sallyport.*

## STOLL

*[Pompously to a burgher who runs in from the left.*

Is not yon horseman beset by the mob John Perry,  
post-rider from Boston?

## BURGHER

Aye, Ensign Stoll, and he brings great news—they of  
Boston have clapped Governor Andros in gaol.

## STOLL

Bid him dismount and come hither to me!

*[The burgher obeys, the turmoil recommences, and Stoll preens himself until Perry appears, carrying his post-bag and surrounded by people who importune him—artisans bearing the implements of their trades, bare-headed shopkeepers, sailors, women, children, and an Indian or two. The crowd increases momentarily. Several wear bows of orange ribbon.*

STOLL

Stand fast, John Perry, and deliver me your news! I am Joost Stoll, Ensign of Captain Leisler's train band—Peace, fellows, while the post-rider purports me his message!—Thou sayest they of Boston have imprisoned Sir Edmund Andros?

PERRY

Aye, just that. And Edward Randolph and others, his Councillors, with him.

*[The crowd cheers.]*

STOLL

Peace, peace, I tell ye! The Governor is certainly in gaol?

PERRY

With my own eyes I saw him placed there.

STOLL

Then *I* say he is a rogue and a tyrant.

CROWD

Aye, aye, that he is.

## STOLL

And is it confirmed that the Prince of Orange hath surely come to England with his army?

## PERRY

Aye, and King James fled away to France without striking a blow.

## CROWD

Hip, hip, huzzay for the Prince of Orange! Huzzay for King William and Queen Mary!

*[There is a sudden hush as Van Cortlandt and Bayard appear from the right. Mayor Van Cortlandt is a middle-aged man, of elegant and courtly bearing and attire, suave and diplomatic, accustomed to command, an aristocrat of aristocrats. He wears a periwig with flowing ringlets. Col. Bayard is a younger man, vivacious, imperious, and quick-tempered, fond of display, deferential to superiors, but haughty to inferiors. He wears the uniform of a colonel of militia.]*

## VOICES

Sh-h-h-h! Here comes Col. Bayard! Col. Bayard and Mayor Van Cortlandt!

*[The crowd falls back.]*

BAYARD

Now, now, fellows, who set on this disturbance—and wherefore?

STOLL

Here is come John Perry, post-rider from Boston, Colonel, to say the inhabitants of those parts have put his Excellency in gaol.

BAYARD

You may speak, sirrah.

PERRY

It is even so, Col. Bayard.

BAYARD

Mayor Van Cortlandt, this seems serious. Stay you here and disperse the rabble, and I will bring Lieutenant-Governor Nicholson and our friends Philipse and Nicolls to confer with us.

*[He hurries away, right.]*

VAN CORTLANDT

Now, good friends, back to your workshops, your stores, and your ships! His Honor, the Lieutenant-

Governor, is coming to sift this extraordinary surprisal, and we must not anger him with any confusion.

## VOICES FROM THE CROWD

Out upon Andros and King James, too! Huzzay for the Prince of Orange! We are betrayed to the French!

## VAN CORTLANDT

*[Busily but gently urging them away, right and left.]*

Sh-h-h-h! Sh-h-h-h! Peace, peace, good fellows! No insolences! No disorders! We must not lend our ears to wild rumors. His Honor is coming—nothing scurrilous! Ensign Stoll, your good frau is seeking you. Peter King, you have not finished my garden wall. Jacob Teller, is not your ship off for the Barbadoes to-day?

*[To Perry, who starts to go.]*

Stay you here, Perry; his Honor would question you.

*[The crowd slowly disperses, grumbling and sullen.]*

Bring you letters for Lieutenant-Governor Nicholson?

## PERRY

*[Offering letters.]*

From Sir Edmund Andros himself.

*[Bayard returns with Nicholson, Philipse and Nicolls. Nicholson is a young man of parts, overburdened with a position beyond his experience, vain and prone to rash decisions. He wears the uniform of a British colonel. Philipse is aged, dignified, conservative, crafty. Nicolls is a spirited youth, proud of his legal lore, scholarship, and gallantry, and foppish in dress and demeanor. All wear wigs.]*

VAN CORTLANDT

*[Handing letter to Nicholson.]*

Sir Francis, here is matter for concern.

NICHOLSON

*[To Perry, after a hasty glance over the letter.]*

You had this from the hand of Sir Edmund Andros?

PERRY

No, your Honor; it comes by sufferance of Captain Winthrop. His Excellency hath not liberty of speech with any one.

NICHOLSON

Wherefore?

PERRY

Because he is held an enemy to the Prince of Orange.

NICHOLSON

You have declared such ill reports hereabouts?

BAYARD

Aye, that he hath, to the disordering of the rabble, which I have just dispersed.

NICHOLSON

*[His sword point at Perry's breast.]*

Hark ye, sirrah! His Majesty, King James, yet rules in this his Province of New York, and one word more of this Boston treason shall be your last. Now go, and await our packet to his Excellency!

*[Perry bows humbly, and disappears.]*

Gentlemen, these rumors from England are bearing fruit. His Excellency writes that the malcontents of Boston have indeed shut him up in the Fort, and set up a government of their own.

BAYARD

Does he credit the report that the Prince of Orange hath invaded England?



NICHOLSON

He fears it may be true—but not I. Why, the very 'prentice boys of London would drive him out should he land!

VAN CORTLANDT

Our burghers here in New York are less loyal—your Honor must have heard them but now cheering for the Prince of Orange.

NICHOLSON

That must be looked to. I shall rely upon you, Mayor Van Cortlandt, to keep the rabble quiet, and upon you, Col. Bayard, to have the train bands ready to put down open outbreak.

PHILIPSE

If your Honor will permit me, I think we should move with caution in this matter. If it should prove true that his Majesty hath fled to France, and that the French King doth intend war against England in his behalf, our burgher soldiery will prove but ill reliance in King James's cause.

NICHOLSON

What say you to that, Col. Bayard?

## BAYARD

They are insubordinate of my authority, with many jealousies respecting the French and Indians.

*[Robert Livingston and Miss Livingston appear from the right. He is middle-aged, tall, arrogant, self-willed, and icily impertinent, a man of so much force he seldom condescends to be affable. His sister is a post-Elizabethan or, if you prefer, a proto-suffragette.]*

## NICHOLSON

Nicolls, you are lately from Albany—what say they of the Indians?

## NICOLLS

There are wild rumors afloat. Our Indians have been told Governor Andros hath plotted to betray them to the French. But Mr. Livingston, here, is but just come from the north with his sister. As Secretary of Indian Affairs, he can speak by the book.

## NICHOLSON

Mr. Livingston, you visit New York in good season. Miss Livingston, I salute you. Have you heard the news?

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*[Livingston bows formally to those present, while Nicolls goes to Miss Livingston and accosts her gallantly.]*

## LIVINGSTON

One must needs hear what Boston hath done when New York is buzzing it. But if the Prince of Orange hath gone into England with his parcel of rebels, let him see how he gets out again! He will come to the same end Monmouth did.

## MISS LIVINGSTON

He will find there as good soldiers as he takes.

## NICHOLSON

Bravely spoken, Miss Livingston!

*[To Livingston.]*

But where will our Indians stand in case of war with the French?

## LIVINGSTON

Leave them to *me*, but look to your own rebellious burghers here! Every street-corner is a hustings for proclaiming treason to his Majesty.

NICHOLSON

With his Excellency in gaol and but a handful of soldiers to depend upon, I am sore perplexed.

LIVINGSTON

There are your train bands?

NICHOLSON

Made up of the rabble and insubordinate to Col. Bayard.

LIVINGSTON

But they follow their captains, do they not? Is there not some one of authority and influence with them?

NICHOLSON

I know not. Col. Bayard, who among the officers of the train bands hath most their confidence?

BAYARD

Jacob Leisler, your Honor, their senior captain.

NICHOLSON

Oh, that Dutch boor, who refused to pay duty on his cargo of wines because Collector Plowman is a Catholic?

VAN CORTLANDT

[*Warmly.*

No Dutchman, Sir Francis, only a German, who came here from Frankfort as a soldier of the West India Company, so poor that he owed for his musket. But he married a rich widow, and now he hath houses and ships at command.

NICHOLSON

But will he help us uphold Governor Andros?

BAYARD

He may remember that his Excellency shut him up in gaol some years ago, when he and one Jacob Milborne had the Duke of York's priest, Dominie Van Rensselaer, tried for heresy because they thought the Duke was trying to curtail 'the rights of the people.'

LIVINGSTON

Scant reason that, Col. Bayard! You were in gaol, too, for a similar reason, about that time.

BAYARD

I spoke for my class, Mr. Livingston, but not for the rabble, as this Leisler did. He is a dangerous fellow—I have myself heard him declare that the day will

come when the people—the *common* people—will rule themselves!

VAN CORTLANDT

What say you, Sister Joanna? You are partial to these Leislars.

MISS LIVINGSTON

Perhaps if Col. Bayard's family had been driven from home, as was Captain Leisler's, he might have more toleration for Captain Leisler's utopian dreams. Besides, if you wish to control the people, can you do better than choose a messenger they confide in?

VAN CORTLANDT

[*Shaking his finger gayly at her.*

Chop-logic, Joanna, and yet, for once, a woman speaks wisely.

[*To Nicholson.*

I have personal reasons for disliking the fellow—we are distantly related, and he hath advantaged of me in business matters. Moreover, he is of rude speech and swears like a pirate, in spite of his piety; but if he may be won over, it will go far towards keeping the people in order.

PHILIPSE

I have had dealings with this man, your Honor. He is of good repute as a merchant, and hath especial influence with the Huguenots, whom he hath befriended and whose language he speaks.

BAYARD

Aye, truly, and cunning of hand in graving upon gold and silver—a jack-of-all-trades—*except* gentility!

NICHOLSON

Where can he be come at?

VAN CORTLANDT

*[Indicating Leisler's house.]*

He should be at home at this hour.

NICHOLSON.

Col. Bayard, will you ask his attendance upon us?

BAYARD

I beg your Honor's indulgence, but Capt. Leisler hath shown me such disrespect that I fear I should be but an ill messenger.

NICHOLSON

Mr. Nicolls, if Miss Livingston can spare you for his Majesty's service a moment, I pray you summon Capt. Leisler hither.

NICOLLS

*[Bowing low to Miss Livingston.]*

I trust his Majesty will appreciate my sacrifice.

*[He goes to Leisler's house, and knocks upon the door. Frau Leisler opens its upper half. Nicolls makes her an over-elaborate bow, and asks, with exaggerated courtesy:]*

Do I address Frau Leisler?

FRAU LEISLER

*[Emerging upon the stoop, with repeated curtsies, troubled and confused.]*

Oh, yes, your worship, I am Frau Leisler.

NICOLLS

*Then,* may I make so bold as to inquire if Captain Leisler is within?

FRAU LEISLER

Yes, yes, he is at home.



NICOLLS

*[With more bows.*

I am profoundly sorry to trouble you, Frau Leisler, but you will place me under eternal obligation, Frau Leisler, if you will inform Capt. Leisler that his Honor, Lieutenant-Governor Nicholson, craves the boon of present speech with him, Frau Leisler.

FRAU LEISLER

*[Bewildered and apprehensive.*

Is there some troubles? He will pay the duty on his wines, yes—he has the money, yes—but when another Collector is appointed, yes.

NICOLLS

I do humbly beg leave to assure you, Frau Leisler, *in foro conscientiæ*, that his Honor merely wishes to avail himself of the inestimable advantage of the counsel and assistance of your worthy husband on a matter of State. Believe me, Frau Leisler, *non latet anguis in herba*, Frau Leisler.

*[Jacob Leisler suddenly steps from the door. He is of robust figure, formidable and austere visage, carelessly dressed, a forceful and irascible personage, but with an underlying sug-*

*gestion of grim humor and deep feeling. He speaks explosively, with a pronounced German accent.*

LEISLER

You want me?

NICOLLS

*[His manner changing to real deference.*

Yes, Captain Leisler, his Honor wishes to see you.

*[He returns to Miss Livingston.*

LEISLER

*[To Frau Leisler, pointing over his shoulder with his thumb.*

Herein!

*[She goes quickly into the house, and Leisler descends to Nicholson.*

Well, Sir?

NICHOLSON

*[Conciliatingly.*

Capt. Leisler, ill news hath just reached me from Governor Andros; they of Boston have shut him up in the fort, and we of his Council here wish your advice as to how our own people may best be kept in peace and quietness.

LEISLER

You wish my advice?

NICHOLSON

Yes.

LEISLER

How to make peace and quietness for these people?

NICHOLSON

*[Eagerly.]*

Yes, Captain Leisler.

*[All turn towards Leisler in expectation.]*

LEISLER

Then my advice is that *you* go to Boston, too—all of you.*[They recoil in anger.]*

BAYARD

Captain Leisler, this insufferable insolence to his Honor——

PHILIPSE

Softly, softly, Col. Bayard! Capt. Leisler, you are a merchant of large holdings, a deacon in the church, and a man to whom your fellow burghers look for wise and calm counsel in these troublous times. Surely you can suggest some prudent way for allaying the disorders of the town?

LEISLER

*[Quietly.]*

Yes, there is another way—a better way.

NICHOLSON

*[Anxiously.]*

And that is?

LEISLER

That you proclaim William and Mary King and Queen here, as they have been proclaimed in England, and *[pointing to insignia over the gates]* tear down that Jacobite sign over the sallyport.

NICHOLSON

*[Losing control of himself.]*

Never, Sir, never!

*[He takes a document from his pocket and shakes it at Leisler.]*

There is my commission, signed by his sacred Majesty, King James—I will stand or fall by that.

LEISLER

Is it countersigned by Louis XIV?

VAN CORTLANDT

[*Mildly.*

We are all loyal Englishmen here, Capt. Leisler.

LEISLER

Ach, so! But 'we all' uphold Louis's Jacobite King, and [*indicating Nicholson*] his Honor did command a regiment of Irish Papists, and keeps in office the Papist Collector Plowman, and [*indicating Van Cortlandt*] our two-faced Mayor [*illustrating*] throws his periwig into the air when the Catholic Prince of Wales is born.

NICHOLSON

[*Passionately.*

Whomever I *did* command, I will sooner set the town on fire than be commanded by such as you. Gentlemen, return you to the council chamber to consider this matter! Mayor Van Cortlandt, do you summon the aldermen, members of the common council, and military officers to meet us there! Col. Bayard, you will come with me to the Fort to make that secure. Mr. Livingston, we shall expect you.

[*Leisler whirls upon his heel and goes to his doorway.*

You see, Captain Leisler, we are not going to Boston—not—just—yet!

LEISLER

Well, don't go to Boston—go to hell!

*[Leisler disappears into his doorway; after a moment of consternation, Nicholson waves his hand imperiously, and darts into the Fort, followed by Bayard, while Van Cortlandt hurries out left, and Philipse and Nicolls right.]*

LIVINGSTON

If I commanded here, that German boor would go to gaol.

MISS LIVINGSTON

Quite so, brother! And if *he* commanded here, you would go to—Boston.

LIVINGSTON

His insolence to his Honor passeth patience.

MISS LIVINGSTON

Was it worse in kind than that of Mr. Nicolls to poor Frau Leisler?

LIVINGSTON

Joanna, I understand not your tolerance for these Leislars. They are enemies to his Majesty, and unworthy of your condescension.

MISS LIVINGSTON

*[Curtseying.]*

Capt. Leisler's pretty daughter hath flattering reverence for that great lady your sister—'Jacobite' though she be.

LIVINGSTON

And Capt. Leisler's pretty son hath even more flattering reverence, I hear.

MISS LIVINGSTON

Oh, 'a cat may look at a king.' Besides, the youth hath better manners than his father. Moreover, if he had not pulled me out of the Hudson when my canoe upset, you might have been at expense for a spreading tablet recounting my many amiable qualities and untimely end.

*[Mary Leisler and Abraham Gouverneur saunter in, close together, from the left. They are prepossessing young people, of about the same age.]*

LIVINGSTON

One word had sufficed for thy epitaph—'vixen!' But his Honor awaits me, and so I leave you to your Dutch friends.

*[He strides off right.]*

MISS LIVINGSTON

Come hither, Mary Leisler, and give an account of yourself!

MARY

*[Going shyly to Miss Livingston, and kissing her extended hand.]*

It hath been long, Madam, since you favored these parts with your gracious presence.

MISS LIVINGSTON

*[Kissing Mary affectionately on both cheeks.]*

The longer to me, child, that it hath hid thy pretty face from me. But, come now, who is this jonkheer who casts such worshipful eyes at Mary Leisler's feet?

MARY

No jonkheer, Madam, but a Huguenot refugee my father hath befriended. He hath much schooling, knoweth *all three* languages *perfectly*, and writes *most clerkly*.

MISS LIVINGSTON

And, if I mistake not, he hath some lore in reading a maid's eyes.



MARY

May I present him to you, Madam?

MISS LIVINGSTON

Surely.

MARY

*[To Abraham, who has lingered afar.]*

Abraham Gouverneur, you may approach and pay your respects to Miss Livingston.

*[He comes and makes a low bow.]*

MISS LIVINGSTON

I am told, Sir, you are a subject of Louis XIV?

GOUVERNEUR

Then, Madam, you have been misinformed—not of Louis, but of William and Mary.

MISS LIVINGSTON

So you are resolved to be a rebel, whether at home or abroad?

GOUVERNEUR

Madam, when kings conspire, they should remember their subjects look to them for example.

MISS LIVINGSTON

Shall the clay presume to judge the potter's hand?

GOUVERNEUR

The clay is God's clay, and the hand that fashions it oweth like fealty to God.

MISS LIVINGSTON

Master Gouverneur, the head that gendereth a wit so nimble too well becomes your shoulders to risk it for this Dutch William, and as [*indicating Mary*] for *your* Queen Mary, I think she standeth here.

GOUVERNEUR

Amen to that last, Madam!

MISS LIVINGSTON

And now, Sir, if you will pardon us, I would have a word with this same maid.

[*Gouverneur bows and retreats.*]

Remember, Mary needeth your head more than William!

GOUVERNEUR

Madam, it belongs to both.

[*He bows himself out, left.*]

MISS LIVINGSTON

Child, child, we are fallen upon troublous times. Here was your father but now, telling the Leftenant-Governor and all the rest of us to go to Boston, where they have imprisoned his Excellency, and [*with an imitation of Leisler's manner*] he finally consigned us to an even worse place, while here comes this comely youth with his glib treason. The town seems to have gone mad.

[*Her hands upon Mary's shoulders.*]

Are you, too, a traitor to his Majesty?

MARY

Madam, I know little of such matters.

MISS LIVINGSTON

And your brother, Cobus, he also holdeth for the Prince of Orange, I dare be sworn?

[*Jacob Leisler, Jr., comes gayly in from the right. He is modish in attire, and courtly in bearing, the antithesis of his father.*]

MARY

I think he doth. But here he is—tax him for yourself!

MISS LIVINGSTON

*[Holding out her hand to Cobus.]*

Well, Sir, where is your bow of orange ribbon?

COBUS

*[As he kisses her hand.]*

Madam, the very sky has turned from Stuart-white to the golden glow that heralds a new day.

*[An allusion to the sunset light that now floods the scene.]*

MISS LIVINGSTON

Say rather that heralds the night of turmoil and disorder!

MARY

Token that my mother hath need of me. Cobus, you will escort Miss Livingston to Mayor Van Cortlandt's. You are guests of your brother-in-law, are you not?

MISS LIVINGSTON

Yes, child. Come to me there to-morrow *[kissing her]* and do your endeavor to keep Master Abraham's head on his shoulders!

MARY

Madam, I will.

*[She runs into the house.]*

MISS LIVINGSTON

You saved my life once, Master Cobus; I would do you like service now—keep you clear of this Dutch plot!

COBUS

My life is of small worth weighed against your disfavor—and yet I may best serve you by being disloyal to you in this.

MISS LIVINGSTON

Speak not of disloyalty to *me*,—it is your King who hath right to your allegiance.

[*Sweetly.*

And yet, if you really care what I think——

COBUS

How should a man without honor hope for grace at honor's shrine?

MISS LIVINGSTON

Words, words, words—it is ever the man's way to cajole us with words. Now, if I were a man——

COBUS

If you were a man you would not tempt a poor denizen of earth with vision of Elysium.

MISS LIVINGSTON

Master Leisler, I like better your father's sincere profanity than your profane sincerity.

*[She starts away haughtily.]*

COBUS

*[Following her.]*

Miss Livingston's censure is more precious than another's praise.

MISS LIVINGSTON

Will you have done, Sir! So many sweetmeats will spoil my relish for Madam Van Cortlandt's supper.

*[They disappear right, still wrangling. The scene has been growing dark, and is now left vacant a moment until the old lamplighter appears and proceeds to light the lanterns. As he goes out, Frau Stoll, a child clinging to her skirts, comes from the left.]*

FRAU STOLL

*[Looking about her.]*

Oh, that wander-foot, Joost Stoll—he hath been overloopen the town the whole blessed afternoon, and me with the inn to keep, and the bar to tend, and the chil-

dren to look after. God pity a poor wife who hath a pot-house politician for a husband!

*[Stoll is heard singing 'Lilliburlero.'*

There he is now—drunk as usual!

*[Shaking her fist.*

Oh, you villain, you sot—wait until I get my hands on you!

STOLL

*[As he zig-zags in from the right—not perceiving his wife.*

Whoop, huzzay for King Mary and Queen William!  
Who's 'fraid of ol' Andros, or ol' King James, or ol' 'ristocrats?

*[Sings:*

'Orange boven, de witten onder;  
Die't anders meend, die staat der donder.'  
(*'The orange goes up and the white under;  
Who says not so shall be shot, by thunder!'*)

FRAU STOLL

*[In a terrible voice.*

Joost Stoll!

STOLL

*[Startled, his rampant manner changing to wheedling conciliation.*

Oh, zere's my li'l gode vrouw, Elishamet!

[*Chucking her under the chin.*

Been lookin' for you *everywhere*, Elishamet.

FRAU STOLL

Yes, everywhere—except at home, where I belong, and where I *stay*.

STOLL

[*With conviction.*

Ach, donder! Zha's rhi'—nev' thought of zhat!

FRAU STOLL

[*Seizing him by the arm.*

Now, Sir, I want to know what you have been doing, and how it comes you are drunk so early?

STOLL

[*Proudly.*

Been savin' country. Had ol' Andros shut up in Boston, and kept ol' Nicholson from settin' town on fire.

FRAU STOLL

Looks more like you'd been trying to set the town on fire yourself.



## STOLL

Awful battle at the Broadway Gate, but *I* saved it, an' now I'm goin' to take train bands up the river to fight ol' French King an' his Indians.

*[Confused voices are heard outside.]*

Zere zey come now.

*[Seeking to disengage his wife's hold.]*

Mus' go meet French.

## FRAU STOLL

*[Resolutely.]*

No, you'll go meet your children—if you have the face to.

## STOLL

*[His hand on the child's head.]*

Does de moeder wan' ol' French King to scalp poor li'l' Joost Stoll's Elishamet's Annetje?

## FRAU STOLL

*[Dragging him away.]*

You come along home with me, and see who's scalped when I get you there!

*[They all go away left, while the noise and shouting of the crowd are heard from the opposite direction. Then Stoll darts back.]*

STOLL

Hip, whoop, huzzay for Joost Stoll, an' down with all  
'ristocras an' Indians!

*[He makes a corkscrew flight, and has almost  
escaped, when Frau Stoll bounces in again.]*

FRAU STOLL

Joost Stoll, come back here!

*[The roll of a drum is heard.]*

STOLL

Mus' go save country. Don't you hear country callin'  
me?

FRAU STOLL

Don't you hear *me* calling you?

STOLL

*[Meandering toward her with drunken dignity.]*  
Ja, ja, li'l' goede vrouw Elishamet, I'm comin' home  
—*straight*.

FRAU STOLL

*[Grabs him.]*

No, you're not coming home 'straight'—but you're  
coming straight home!

*[She leads him away once more.]*

## SHOUTS

Leisler, Leisler! Make Leisler come! Capt. Leisler's the man to lead us.

*[The crowd, led by Gouverneur, swarms in from the right—sailors, members of the train bands carrying muskets, burghers bearing lanterns and torches, etc. They surround Leisler's door, and continue their calls for him.]*

## CROWD

Leisler, Leisler, Leisler! Leisler shall lead us! Leisler wouldn't pay duty to a Papist collector.

## GOUVERNEUR

Now, then, everybody—hip, hip, huzzay for King William and Jacob Leisler!

## CROWD

Hip, hip, huzzay for King William and Jacob Leisler!

*[Francina, in night-dress, holding a lighted candle, comes out upon the stoop. She is frightened by the tumult and laughter until Leisler takes her up in his arms and raises his hand for quiet.]*

## LEISLER

Maybe I am mistake', but I *thought* I heard somebody call for Jacob Leisler? Well, I am here. You want to hang me, eh?

## LAUGHTER AND VOICES

No, hang Nicholson and King James! We want you to lead us. We don't want the town burnt and our throats cut.

## LEISLER

But what's the matter?

## GOUVERNEUR

The case standeth thus, Captain Leisler: This afternoon Leftenant Cuyler, in command of Captain De Peyster's train band in the Fort, was censured by Leftenant-Governor Nicholson for placing a sentinel at the eastward sallyport. And when Leftenant Cuyler would explain, his Honor called him a rogue, threatened to burn the town and turned the guns of the Fort upon us.

## CROWD

He holds the Fort for King James! Down with him! Are you for King William?

## LEISLER

My friends, I saw that Prince of Orange once—when he was a boy—and I have loved him ever since. He is God's King, because he stands for liberty to worship God and serve Him in freedom from tyranny.

## A VOICE

What did King James ever do for New York?

*[Frau Leisler and Mary come out to learn the cause of the tumult.]*

## LEISLER

*[Handing the child to her mother.]*

I will tell you, my friend, what that King James did for New York. When he was the Duke of York, he let us tax ourselves and make our own laws. That was the easiest way to get our money. But when he became King already, he took away our General Assembly 'because no other Province had one,' and he was afraid he had been too good to us.

*[Laughter and applause.]*

When he was the Duke of York, we had a governor and a government of our own. When he became the great King James, he made us tail to the Boston kite,

carried off our records to Boston, and sent a Governor to rule us from Boston, with a lieutenant here to make us take the medicine Boston sent us.

[*A roar of approbation.*]

When he was the Duke of York, only my friend, Jacob Milborne, and I had to go to prison to worship God in freedom. But when he became King we must *all* go to mass. And now that he is gone to Paris, his good friend, King Louis, has promised to send over an army to carry all the Huguenots back to France and drive all the rest of us into the woods. How you like that, eh?

[*The crowd answers with a torrent of dissent, cries of 'No, no, no!' banging of musket-butts, and waving of torches and swords. Leisler, stilling the uproar, goes on:*

My friends, when things get so bad as they *can* be, then men cry to God and God sends relief. When the men of England found the great King James determined to rule by the sword, when he had cut off Monmouth's head, and sent the bishops to the Tower, then they cried out to that Prince of Orange over the water. They thought the Stadtholder who had opened the Amsterdam dykes and saved the Netherlands from Louis XIV was just the King to save England from that Louis XIV. And that grandson of William the Silent, Founder of the Dutch Republic, *he* has come

to England to save England from Louis and the Pope.  
*Will you help him?*

CROWD

*[With a roar.*

Aye, aye, aye! William and Mary for England! William and Mary for New York!

*[Van Cortlandt and Bayard appear on the outskirts of the crowd at the right, and observe the proceedings disdainfully.*

LEISLER

But, my friends, we have here in New York some people who *say* they are loyal citizens—and uphold King James; who *say* they would defend New York against Louis—but refuse to proclaim William.

*[Pointing suddenly to the newcomers.*

And there stand two of them now!

*[Hostile murmur from the crowd.*

BAYARD

Will Captain Leisler permit me to ask who appointed him judge of those who govern New York?

LEISLER

God has appointed every citizen of New York the judge of those who govern New York.

## BAYARD

No, Captain Leisler. God makes it the duty of every loyal citizen and good Christian to submit to the powers that be. You, Captain Leisler, and you, good people, are treading upon dangerous ground—ground that may well lead to the gaol and the scaffold—when you set yourselves up to say who has right to the throne of England, when you condemn his Majesty's officers because they are not swift to hail his successor. If, indeed, the Prince of Orange has become King, we who represent England here will proclaim him in due season.

*[With stern authority.]*

Meanwhile, as Colonel of his Majesty's militia, I order all members of the train bands here present to come out of this rabble and help me disperse it.

## VAN CORTLANDT

As Mayor of the city, I counsel and command you to return quietly to your homes and cease riotous meddling with what does not concern you.

*[There is a pause, but nobody budges.]*

## LEISLER

Well, my friends, you have heard the command of King James's Colonel and King James's Mayor, and



you have been warned about King James's gaol and scaffold. Why don't you disperse? Are you waiting for King James himself to come over from France and tell you to go home?

[*Laughter.*

Sometimes, when there was some little question he did not care to bother his head over, the great King James let us take a vote. So many of you as hold for King William, say 'Aye.'

CROWD

[*With a mighty roar.*

Aye!

LEISLER

Those for King James say 'No.'

[*A dead silence ensues.*

The 'Ayes' seem to have it.

[*Laughter.*

BAYARD

Bah! What does a rabble's 'vote' signify?

LEISLER

So much, Nicholas Bayard, that the kings of days to come will sit up all night in fear and trembling to find out how 'the rabble' has voted.

BAYARD

*[In a fury.]*

This is treason, Captain Leisler. Lieutenant-Governor Nicholson shall hear of it. You shall swing from the Fort gibbet!

LEISLER

Better men have swung in a worse cause, Nicholas. But, my friends, have *you* nothing to say about this Lieutenant-Governor Nicholson, who is to hang me from the Fort gibbet? Who declares to me he will live and die by his commission from King James? Who turns the guns of the Fort upon the town when you try to put a Protestant garrison there? *Do you think King William's Fort should be held by King William's enemies?*

CROWD

*[In fervent ensemble.]*

No!

LEISLER

Then why don't you *take* that Fort and hold it for William and Mary?

GOUVERNEUR

That's just what we're going to do, and we want you to lead us.

## CROWD

Aye, aye! We want you to lead us. That's what we came for.

## LEISLER

*[Drawing back.]*

Ah, sacaramund, no, no, no—you don't want old Jacob Leisler. He is not educate' or [*viewing himself ruefully*] good to look at. He is only a very plain man—just like you.

*[Pointing out persons in the crowd.]*

Why not Captain De Peyster, or Captain Lodowick, or Peter De La Noy? I will follow any of them with you.

## CROWD

No, no, no—we want *you*! You wouldn't pay duty to a Papist. You went to prison with Milborne. You're not afraid of Nicholson.

## LEISLER

No, my friends, old Jacob Leisler does not care for his life when he can serve God and his country.

*[Putting aside his wife and daughter, who seek to detain him, he rushes down to take command of the crowd.]*

And so—if it must be—come on! We will take the

Fort, and may God help us to keep it for King William and the people of New York!

*[The people cheer wildly, and gather behind Leisler, ready to follow him.]*

Mary, bring me my sword!

*[Mary goes quickly into the house.]*

Captain Lodowick, go you with a guard to Lieutenant-Governor Nicholson, at the Stadt Haus, and demand the keys of the Fort! Take no refusal! *[Indicating Van Cortlandt and Bayard]* And take these gentlemen with you to tell His Honor whence comes your authority, and how the people have voted on King William!

*[Several militiamen swiftly surround Van Cortlandt and Bayard, and hurry them, resisting, away. Bayard, trying to draw his sword, has it taken from him.]*

BAYARD

This is an outrage, Captain Leisler!

LEISLER

Oh, no, Nicholas—only an escort!

*[The guard rushes Van Cortlandt and Bayard away, right. Mary comes back, bringing Leisler's hat and sword, with which she invests*

him. He kisses her and waves adieu to Frau Leisler, who goes, with Francina, into the house in tears.

## LEISLER

Abraham, stay you here to look after my family!

*[Drawing his sword and pointing to gates.]*

Now, my friends, over the wall, unbar the gates, and down with that Jacobite sign!

*[The militiamen cheer and rush for the gates, with roll of drums and brandishing of weapons and torches. The sentinel fires off his musket and runs away. A burgher with a rope scales the arch over the gates, and loops one end of it over the insignia of King James at its summit, throwing the other to his fellows below, who, with a pull all together, bring it clattering to the ground—a precedent for the patriots of a hundred years later, who similarly roped down the statue of George III on this spot. Meanwhile other militiamen have scaled the gates, and after a brief clash of swords and the firing of a shot or two, the gates are thrown open and the others pour in, singing, 'Lilliburlero.' Leisler, who has remained without, directing the assault, now closes the*

*gates, and, after posting a sentinel outside them, waves a triumphant greeting to Gouverneur and Mary, and disappears within the gates. Gouverneur holds out his arms to Mary, and, after a moment's pause, they meet and clasp hands.*

## ACT II

*The scene is the same as that of Act I, but the insignia of King James over the gates of the Fort has given place to that of William and Mary, and the muzzles of the cannon have been turned toward the bay. The time is an autumn morning of 1689.*

*A militia sentinel is discovered pacing back and forth across the closed gates of the sallyport. Several children are passing, single file, from right to left, with small hand-barrows and baskets containing stones. Mary Leisler comes from the house in semi-military dress.*

MARY

Company, attention! Halt!

*[The children stop.*

Break ranks!

*[The children leave their barrows and crowd about her.*

Little soldiers of King William, do you know how many loads of stones you have brought to repair his Fort to-day? One hundred loads. Isn't that fine, and won't he be the proud King when he hears how his dear children serve him?

## CHILDREN

Huzzay for King William and Captain Mary Leisler!

*[They join hands and dance about Mary, singing:]*

‘King William is King James’s son,  
And from a royal race is sprung.  
Upon his breast he wears a star,  
As he rides away to his country’s war.’

## MARY

*[Laughingly interrupting.]*

No, no, no, that’s an old Jacobite song!

## CHILDREN

*[Dancing and singing to the air of ‘Lilliburlero.’]*

‘King William’s soldiers merry are we,  
Lilliburlero bullen a la,  
Building his Fort for Captain Marie,  
Lilliburlero bullen a la.  
Lero, lero, lilliburlero, lilliburlero bullen a la,  
Lero, lero, lilliburlero, lilliburlero bullen a la.’

## COBUS

*[Behind gates.]*

Halt!



[*Crash of musket-butts on the ground.*

Unbar the gates!

MARY

The big soldiers are coming, and we must not block the way. Attention!

[*The children spring back to their places at the barrows.*

Forward march!

[*The children go out left, single file. The gates are thrown open, disclosing a squad of militiamen drawn up in line across the gateway. The sentinel presents arms, as Cobus marches up to his sister and gives her a military salute. He is in uniform, and tucked into his sword-belt is a document.*

MARY

Good morning, Lieutenant Cobus. Is your escort for Master Riggs, King William's messenger?

COBUS

No, Gouverneur hath been sent to Col. Bayard's house to bring Master Riggs hither. I am for the Broad Way to honor the arrival of father's old friend, Jacob Milborne, expected from Albany.

MARY

Who is he, this Jacob Milborne?

COBUS

A very godly and instructed man, some time of these parts, but of late years much in England, where he affiliated with the Puritans.

MARY

Alackaday, how solemn! I'm sure I shan't like him!

COBUS

Your liking or disliking, Mistress, will be small matter to him. If he joins with us, as father hopes he may, he will have weightier matters to consider than a maid's fancy. Besides, he is a middle-aged widower, who hath long since put frivolity by.

MARY

And your long face this morning would seem to say that you, too, have turned Puritan.

COBUS

*[Touching the document at his belt.]*

I have that here which makes me wish myself behind prison doors.

MARY

Another warrant of arrest for some one we know?

COBUS

[*Low.*

For Robert Livingston!

MARY

Poor Cobus! I pray God Master Riggs brings King William's warrant for all our father hath done as Commander-in-Chief of this perturbed Province.

COBUS

And yet I misdoubt the report Leftenant-Governor Nicholson gave the King when he fled away to England.

[*Miss Livingston comes gayly from the right.*

MISS LIVINGSTON

Do I intrude upon a council of war? Yes, I see by your looks I do. Well, the least you can do is to arrest me—most of the decent people are in gaol.

COBUS

Madam, your presence there would make that institution altogether too popular.

MARY

He was just saying some of his duties make him wish himself behind prison bars.

MISS LIVINGSTON

Be patient! King James is already back in Ireland, and as soon as he reaches Whitehall your wish may be granted.

COBUS

But, alas, Madam, the decree that put me in gaol would liberate you!

*[Miss Livingston tiptoes right and left, making pretence of seeing whether anyone is listening; then, taking Mary by one hand, and Cobus by the other, she leads them a step or so forward, and asks with mock concern:]*

MISS LIVINGSTON

Tell me, now, who is to be the next unwilling guest of the Herr Commander-in-Chief?

COBUS

Would you convict me of treason to King William as well as to King James?

MISS LIVINGSTON

*[Snatching the document from his belt and dancing off with it.]*

Nay, nay, this will suffice!

*[Eluding the pursuit of Cobus, as she opens and glances over the document.]*

‘Warrant of arrest for Robert Livingston.’ ‘Failure to pay taxes.’ ‘Jacobite!’ ‘Hath spoken disrespectful of the Herr Commander-in-Chief Leisler and of the Herr Prince of Orange.’

*[She returns the paper to Cobus with a low curtsey.]*

That he hath, I dare be sworn, for he speaks disrespectful of everybody—and pays taxes to no one.

COBUS

*[Confused and distressed.]*

Madam, I beg you to believe that I shall find it very difficult and distressing to apprehend your brother.

MISS LIVINGSTON

So you will, i’ faith, for he is well on his way to Hartford—somewhat beyond the Herr Leisler’s jurisdiction, I take it.

COBUS

I am heartily glad to hear it.

MISS LIVINGSTON

But you can arrest *me*—I am for King James, whether my brother is or not.

*[She sings to the air of 'When the King Enjoys His Own Again' (see notes):*

'Still will I wait till the waters abate which most disturb my troubled brain,  
For I'll never rejoice till I hear that voice, that the King comes home in peace again.'

COBUS

If I could imprison your will, as well as your person, that Jacobite ditty should be my justification.

*[Drawing his sword he salutes her; then to militiamen:*

Attention! By the double file, march!

*[Cobus marches his squad off right. The sentinel closes the gates.*

MISS LIVINGSTON

*[Calling after him.*

Commend me to my brother—when you catch him!

*[Comes to Mary and embraces her.*

Child, child, I could die of laughter at all this military masquerading, if it had not such serious import for my little Mary—and those dear to her.

## MARY

But, Madam, King William must needs hold for them who hold for him. My father hath had him proclaimed, and governs the Province in his name.

## MISS LIVINGSTON

'King William, King William,'—a fig for 'King William'! He is but the creature of the disaffected nobles and gentry of England, and, even should he win, it is *they* who will govern England and this Province of New York.

*[Jacob Milborne stalks solemnly in from the left. He is in Puritan dress and of austere mien.]*

The Prince of Orange is no republican, nor fanatic, neither,—but, I'll warrant, here comes one who is both!

## MILBORNE

*[With grave deliberation and impressiveness.]*

I am seeking one Jacob Leisler.

MISS LIVINGSTON

*[Making him an exaggerated curtsy and speaking in mocking imitation of his manner.]*

Seek, and ye shall find! And if 'one' Jacob Leisler is not enough, you may have two. Which seek ye, Brother Barebones, the father or the son?

MILBORNE

*[Offended.]*

I would have speech with the Commander-in-Chief of this Province.

MISS LIVINGSTON

Alas, brother, Sir Edmund Andros is still in Boston gaol, and Lieutenant-Governor Nicholson is in England.

MILBORNE

And well would it be if every son of Belial and daughter of Jezebel were with them.

MISS LIVINGSTON

*[Folding her hands upon her breast, closing her eyes, and making him a profound reverence.]*

Verily, verily, Brother Barebones, most of those you allude to would hold either England or gaol the fairer residence—just now.



MILBORNE

Miscall me not! I am Jacob Milborne, and I had expected other entertainment than bandying words with a mocker of holy speech.

MARY

Oh, if you are Master Milborne, my father hath sent my brother with an escort to greet you.

MILBORNE

Thou art daughter to the Commander-in-Chief of the army of Israel?

MARY

I am Mary Leisler.

MILBORNE

*[Extending his hand.]*

I am gratified to see thee, Mary,—though I had not thought to meet thee in such company.

MISS LIVINGSTON

Be comforted, Brother Barebones; there is going to be an immediate separation of the sheep and the goats!

*[She whispers in Mary's ear, then lilts away right, and, turning, calls back to her:]*

Daughter of Israel, tell Father Esau to look well to his birthright—here's Jacob come back!

*[With which parting shot she vanishes.]*

MILBORNE

*[Pointing solemnly after her.]*

Of such was she who danced before Herod and she who betrayed Samson!

MARY

I pray you, judge her not too harshly! Her sprightly tongue outruns her kindly heart, and, indeed, my father hath treated her people with severity.

MILBORNE

'Woe to the crown of pride, woe to the drunkards of Ephraim!'

MARY

*[Starting to go.]*

I will tell my father you are here, Sir.

MILBORNE

Nay, Mary, I would have further speech with *thee*. Send yon sentinel to summon thy father!

*[Mary speaks to sentinel, who goes out by the gates. Milborne lays his hand upon Mary's shoulder.]*

I am pleased to see by thy attire that thou art indeed a true daughter of Israel in this great struggle against the Philistines.

MARY

[*Gently evading his touch.*]

I should not be a true daughter of my father were I not ready to give even my life for King William.

MILBORNE

Right bravely spoken, Mary! [*Significantly*] And the chance to make thy life of great and peculiar service to the King's cause may be nearer than thou thinkest.

MARY

My brother tells me you are lately from England.

MILBORNE

It is even so. With my own eyes I saw how the Prince of Orange spared his wicked father-in-law, even as David spared Saul, and was welcomed and crowned, even as the tribes of Israel crowned David.

MARY

God grant that King William frees New York as he has freed old England!

MILBORNE

Amen to that! But King William is far from this poor Province, and surrounded by great ones who hold it in contempt, a plaything for their pleasure.

*[The gates fly open to Leisler, who rushes to Milborne, holding out both hands.]*

LEISLER

Ach, my friend, God has sent you to help me!

*[The sentinel closes the gates.]*

MILBORNE

Even as He commanded Aaron to go into the wilderness to meet Moses.

LEISLER

Go tell mother Jacob is here!

*[Mary enters the house.]*

MILBORNE

As was Rebekah, daughter of Bethuel, thy Mary is fair to look upon.

LEISLER

A good girl—like her mother.

*[His hands upon Milborne's shoulders.]*

and now, Jacob, listen to me! The people have made me Commander-in-Chief—all but they of Albany. You shall go to Albany for me.

MILBORNE

Perhaps. What else?

LEISLER

I have had William and Mary proclaimed. I have put their enemies in gaol. I have made the Fort ready to fight the French. I have called a congress of all the Colonies to raise an army to go against Canada—just as William the Silent called a congress of the Netherlands and Provinces to fight the Spanish a hundred years ago.

MILBORNE

I doubt whether this William will like the liberty you take in following his grandfather's example.

LEISLER

Why should the King of England not like to have me call a congress to fight for him?

MILBORNE

Because the next congress of these Colonies may be called to fight *against* him.

LEISLER

What I have done was for King William.

MILBORNE

And what has King William done for you?

LEISLER

I don't know, Jacob. But his messenger is even now at Col. Bayard's house. I have sent for him.

MILBORNE

Nicholson has misrepresented you to the King as an ambitious and reckless usurper. Has he had your side of the story?

LEISLER

Ach, ya, ya, ya! Long ago I sent him a letter, with all the papers, by Joost Stoll, my Ensign.

MILBORNE

A publican to parley with princes!

LEISLER

But he will give the King my letter, nicht wahr? Only it was not very good English, my letter. That

---

is another reason why I need you, Jacob. You know that good English; you shall tell that King William what Jacob Leisler has to say.

MILBORNE

What *have* you to say?

LEISLER

That I humbly beseech his approval of all I have done in his name.

MILBORNE

William's approval is for those able to do without it—not for those who fear him, but for those he fears. Your enemies do not beseech—they demand. If you wish his approval of what you have done, you must make him dread what you may do.

LEISLER

What should the King dread from me, who ask but to serve him?

MILBORNE

What he dreads from them of New England—that those refused his commission might make shift to do without it.

LEISLER

*[Shocked.]*

But—Jacob—that would be treason!

MILBORNE

You account it not treason to serve William instead of James—why is it treason to serve God and the people of New York instead of William?

LEISLER

William's cause is God's cause. My sword, my fortune, and my life belong to the King.

MILBORNE

Bah, mere sentiment! The people follow you. Why should you truckle to a ruler beyond seas, when you might be one yourself? If you think so highly of William, follow his example!

LEISLER

The dearest wish of my heart is that the King may make me his governor, as the people have made me theirs. But I will not use the power they have given me for my own glory.



MILBORNE

And your reward will be to see the King choose for your place some dissolute Court favorite.

LEISLER

No, I'll not believe it! You shall help me fight his battles and see how unjust you have been to him. You shall lead our army against Canada.

MILBORNE

*[After thinking it over.]*

Yes—on one condition.

LEISLER

Ach, Jacob, you know I can refuse my old friend nothing.

MILBORNE

Give me thy daughter Mary to wife!

LEISLER

*[Startled.]*

But—she is only a child yet.

MILBORNE

Samuel was but a child when he was taken up to Shiloh to serve in the temple.

LEISLER

But she doesn't know her own mind already—about such things.

MILBORNE

All the more reason why you should choose for her.

LEISLER

It is a very great honor you do her—but really she is not worthy. You should have a wife old enough to understand and help you.

MILBORNE

She is wise beyond her years, and I shall teach her to appreciate me.

LEISLER

I don't know but there may be some foolishness about a boy—and he is a good boy, too—Abraham Gouverneur.

MILBORNE

Can he do more for you than I can?

LEISLER

Listen, Jacob! You shall come to live in my house, and talk to this little Mary, and when she is like to be your wife, it shall be so.

MILBORNE

It is not seemly that one of my years should dance attendance upon a maid's whims.

*[Mary reappears upon the stoop.]*

LEISLER

But, Jacob, my mind is so full of the King's business—let us talk of that now—this matter can wait.

MILBORNE

No, I must back to Albany at once. Shall it be on your affairs or my own?

LEISLER

*[Perplexed and distressed, he looks from Milborne to Mary a moment, and then calls:]*

Mary!

MARY

Yes, father?

## LEISLER

Come here, daughter!

*[Mary comes to Leisler. He places his hand tenderly upon her head.]*

Mary, this is my old friend, Jacob Milborne.

*[Correcting himself:]*

My *best* friend, Mary,—he is not so old, neither. And I have sent for him to come and help me—I need him sorely.

*[Hesitating.]*

And he has done me the very great honor—he has done *you* the very great honor—to think you can help us save New York for King William.

## MARY

Ah, father, you know I would do anything for you, anything for the King. Tell me what it is! Am I to go among the Indians—or to Canada?

*[Leisler looks helplessly from Mary to Milborne, unable to speak.]*

## MILBORNE

Mary, I have chosen thee for my wife.

*[Mary looks at Milborne bewildered, then, as his meaning dawns upon her, she recoils, looks about her as if to flee, and bursts into tears.]*

LEISLER

*[Taking her into his arms.*

Don't, Mary; don't cry like that! Old Jacob Leisler is not going to sacrifice his child—even for the King.

MILBORNE

Did Abraham refuse to sacrifice Isaac for the King?

LEISLER

No, Jacob, no—but I am not Abraham! If you want to marry this little maid, you must get her to say 'yes' already.

*[The roll of a drum is heard. Leisler goes quickly left, looks in the direction whence the sound comes, and then returns exultantly.*

LEISLER

Here is the King's messenger! Now we shall see what William and Mary have to say to Jacob Leisler.

*[Abraham Gouverneur marches in at the head of a file of militia, escorting John Riggs, and followed by Père Millet between two Mohawk Indians carrying muskets and in war paint. Père Millet wears a priest's robe and*

*rosary. Gouverneur and Riggs go to Leisler. The militia take position at the right, while Père Millet and the Indians remain at the left.*

GOUVERNEUR

*[Saluting.*

John Riggs, Commander, with a letter from their Majesties.

LEISLER

*[Shaking hands with Riggs warmly.*

Their Majesties' messenger must needs be welcome where their Majesties' authority is honored next to God's.

RIGGS

I am told so, Commander Leisler, and I believe it will please their gracious Majesties to hear such good report.

LEISLER

This is my friend, Jacob Milborne. He is lately from England, too.

RIGGS

*[Shaking hands with Milborne.*

I have met Mr. Milborne in London.

LEISLER

*[Indicating Père Millet, while Riggs and Milborne converse.]*

Who is your prisoner, Abraham?

GOUVERNEUR

A French priest, Commander, taken at Ft. Frontenac by our Indians.

LEISLER

*[Sharply to Père Millet.]*

Approchez, Monsieur, que je vous parle!

*[Père Millet goes to Leisler.]*

Comment vous nommez-vous?

PÈRE MILLET

Père Millet, votre Excellence.

LEISLER

Est-ce que vous parlez l'anglais?

PÈRE MILLET

Très mal, votre Excellence.

## LEISLER

Ni moi non plus, mais c'est dans les affaires anglaises que vous vous mêlez et nous parlerons l'anglais. Attendez!

*[Père Millet bows.]*

Jacob, will you take Mr. Riggs into the Fort? I must question this French spy. You will excuse me a little, Mr. Riggs?

## RIGGS

Certainly, Commander. I have asked Mr. Philipse and Mr. Van Cortlandt to confer with us here regarding his Majesty's letter.

*[Milborne and Riggs go away together into the Fort. During the following scene Gouverneur and Mary converse together.]*

## LEISLER

*[Turning sharply upon Père Millet.]*

You come from Quebec?

*[Père Millet bows assent.]*

Why has Monsieur le Comte de Frontenac sent you here?

## PÈRE MILLET

*[Very slowly and carefully.]*

Monsieur le Comte de Frontenac not me has sent.



LEISLER

[*Contemptuously.*

Qui donc?

PÈRE MILLET

Le bon Dieu m'a envoyé—pardon!—the good God me sent to save the souls to these poor people.

[*Indicating the Indians.*

LEISLER

Si, si, and maybe turn their guns against the English, too? Your 'good God' is for Frontenac, n'est-ce pas?

PÈRE MILLET

It may be thus, your Excellence, but I am not of His counsels as to the politique.

LEISLER

So? Tell me, then, is Frontenac at Quebec?

PÈRE MILLET

Your Excellence will excuse me not to answer that.

LEISLER

How many soldiers has he there?

*[Père Millet slowly shakes his head.]*

Is he coming to attack us?

PÈRE MILLET

If your Excellence will pardon, I cannot to answer those question.

LEISLER

Do you know I can hang you as a spy? Do you know what those Indians will do to you if I hand you back to them?

PÈRE MILLET

*[Solemnly kissing his crucifix.]*

Yes, your Excellence, I know you can *hang* me as a spy—but you cannot make me to *be* a spy—either for you or for Frontenac.

LEISLER

*[To Indians.]*

Take him!

*[The Indians spring one to each side of Père Millet, one drawing a knife, the other raising a tomahawk. Leisler pulls out his watch.]*

I will give you just one minute to answer my questions.

PÈRE MILLET

If I have but the one minute to live, your Excellence will not to refuse me one las' reques'?

LEISLER

What is it—*quick*?

PÈRE MILLET

*[Slowly and carefully as ever.]*

You believe in the good God, is it not?

LEISLER

*[Impatiently.]*

Si, si, si—go on!

PÈRE MILLET

Then, in His name, I beg of you to have pity on the women and children taken by your Indians in this war!

LEISLER

*[Looks at Père Millet a moment, then puts up his watch and speaks courteously.]*

Monsieur Millet, we war not upon women and children.

*[Waves the Indians away.]*

Nor upon priests, neither. I don't think you are a spy—you will pardon if I said that!—but I will not take any chances yet, so you shall be my guest here in the Fort, and we will talk the French sometimes, n'est-ce pas?

PÈRE MILLET

My son, may He whose mercy you have shown the helpless be merciful to you!

LEISLER

[*To militia.*

Attention! March!

[*Leisler conducts Père Millet through the gates, opened by sentinel, followed by Indians and militia, keeping step to the tap of the drum.*

GOUVERNEUR

Your father can show pity for a popish priest—but none for his own daughter!

MARY

Nay, Abraham, you are unjust. He is perplexed and beset, and he needs Mr. Milborne's help sorely.

## GOUVERNEUR

Only a tyrant would demand such a sacrifice—only a brute would accept it.

## MARY

But my father has not demanded it. He has only let me see how much it means to him.

## GOUVERNEUR

Then you can refuse—you will?

## MARY

Abraham; if my father wished me to go among the enemy, as that poor priest has done, I would go.

## GOUVERNEUR

Oh, we are all ready to give up our lives for the King—but not those we love!

## MARY

My father has thrown *his* life, his fortune, all that he has, all that he loves, into this struggle. Shall I not be unworthy of him if I do less?

GOUVERNEUR

But this canting fanatic, what right has he to you?  
What more can he do to deserve you than I?

MARY

Alas, Abraham, Mr. Milborne is a very able man,  
and my father holds him necessary to his plans.

GOUVERNEUR

And so, it would seem, a marriage with this great Mr.  
Milborne is not so distasteful to you, after all!

MARY

[*Weeping.*

Ah, Abraham, you *know* my heart has always been  
yours—and will be, always.

[*Van Cortlandt, Philipse, Nicolls and Bayard  
appear at the left, unobserved by the lovers.*

GOUVERNEUR

[*Seizing Mary's hand.*

Mary, Mary, Mary, I will *never* give you up!

BAYARD

We come prepared for war—and interrupt a love  
scene. Ahem!

*[Gouverneur drops Mary's hand in confusion.]*

I humbly beg your pardon, Master Abraham, but I believe you know of our appointment here with Mr. Riggs and Captain Leisler?

GOUVERNEUR

I will tell them you are come, Sir.

*[Gouverneur goes quickly into the Fort, and Mary into the house.]*

VAN CORTLANDT

Col. Bayard, did this fellow Riggs tell you to whom the King's letter is addressed?

BAYARD

Yes,—to Leftenant-Governor Nicholson.

VAN CORTLANDT

Then he will assuredly deliver it to us, of his Honor's Council.

BAYARD

But he hath been told by the wise men of Boston that Leisler rules here, and that he should have the letter.

## NICOLLS

Gentlemen, a word with you! Are you not in treason to his Majesty, King James, to receive the instructions of this upstart Prince of Orange?

## BAYARD

I, for one, can never own William for my lawful sovereign so long as James is alive.

## PHILIPSE

Softly, softly! You young men are so hot-headed! If we can make an upstart in England help us get rid of an upstart here in New York, King James will be well pleased enough to find his friends in power once he comes back to the throne.

## VAN CORTLANDT

That is my advice—one step at a time. And the best way to get possession of the letter is to show William's messenger that this German boor's rule is less absolute than they of Boston have told him.

## PHILIPSE

Easier said than done! He holds the Fort, and the militia and people are with him.



BAYARD

Not all of them. There was almost a riot at the Stadt Haus yesterday when his orders to fortify the city were proclaimed, many protesting they would pay no such tax and scorning the militia.

NICOLLS

Yes, and with furious threats to take the prisoners out of the Fort as well.

VAN CORTLANDT

If this Riggs had but witnessed such a sedition!

BAYARD

It would be most easy to set on the malcontents anew.

VAN CORTLANDT

He would be a shrewd man who should do it.

PHILIPSE

And a rash one! Leisler has a heavy hand.

BAYARD

I fear him not—tyrant though he be.

NICOLLS

*[Starts away melodramatically.*

Then, come on, and we will show this Masaniello 'nec surdum nec Tiresiam quamquam esse Deorum'!

*[Nicolls and Bayard rush out left. At the same moment Leisler and Riggs reappear through the gates. Leisler notes the flight of Nicolls and Bayard, and gives an inaudible order to the sentinel, who goes quickly into the Fort, Leisler closing the gates after him.*

PHILIPSE

Van Cortlandt, I misdoubt this attempt. It is but playing Leisler's own game.

VAN CORTLANDT

In any event, *our* skirts are clear. Sh-h-h! Here he comes.

LEISLER

*[Nodding stiffly to Van Cortlandt and Philipse, as he and Riggs approach them.*

Mr. Riggs, you know these gentlemen. They were members of King James's Council for New York,

VAN CORTLANDT

And, we trust, still hold such positions under the proclamation of his gracious Majesty, King William, continuing all officers in their employments until his royal pleasure may be further known.

RIGGS

*[As he produces a document bearing a huge wax seal.]*

I understand, gentlemen, that you pretend to possession of this letter from his Majesty?

VAN CORTLANDT

We do—assuredly.

RIGGS

It hath grave import. Hear the King's words:

*[Opening and reading from the document.]*

'We do hereby authorize you to take upon you the government of our Province of New York.'

VAN CORTLANDT

So this letter makes whoever gets it Lieutenant-Governor and Commander-in-Chief of the Province?

RIGGS

Just that—until his Majesty formally appoints a new Governor. When I left England it was said at court that Colonel Henry Sloughter will be sent, with Major Richard Ingoldsby to command his troops. Col. Sloughter's friends have the King's ear.

PHILIPSE

How is the King's letter addressed?

RIGGS

[*Reading.*

Thus runs the superscription: 'To our trusty and well-beloved Francis Nicholson, Esqre., our Lieutenant-Governor and Commander-in-Chief of our Province of New York in America [*significantly*] and *in his absence* to such as for the time being take care for Preserving the Peace and administring the Lawes in our said Province of New York in America.'

PHILIPSE

Lieutenant-Governor Nicholson deputed us to act in his absence. So the letter is ours.

RIGGS

But it is addressed, in his absence, to such as administer the laws. Have you done that?

VAN CORTLANDT

We have been ready and anxious to do so, Sir, but have been prevented.

LEISLER

Who has prevented you?

VAN CORTLANDT

You have!

LEISLER

No, not old Jacob Leisler, but the *people of New York*, who thought it not seemly that the officers of a popish king should act for Protestant William.

VAN CORTLANDT

Captain Leisler, the people of New York do not govern the people of New York—and King William would be last to say so.

LEISLER

But Nicholson has told the King who governs here—and the King directs his letter accordingly.

VAN CORTLANDT

Then why did he not put your name on it?

LEISLER

I don't know, Stephanus. Maybe he thought *you* would be in command here by the time Mr. Riggs arrived—but your name is not on it, neither.

VAN CORTLANDT

Your authority is disputed by the best people of the Province.

LEISLER

It has been acknowledged by King William's governments at Hartford and Boston, and is disputed in New York only by Jacobite rascals like yourself.

VAN CORTLANDT

I am no Jacobite, nor rascal, neither, and your zeal for King William is only a cloak for your insolent tyranny.

LEISLER

Stephanus, I will pray God to pardon your sins—and *damn* your impudence.

## PHILIPSE

Even the rabble has turned against you, if what I hear of the riot at the Stadt Haus is true.

*[The murmur of a crowd in angry discussion begins to be heard.]*

## LEISLER

Some of the rabble, Frederick, object to paying taxes to defend the country against King James's dear Canadian friends—as much as *you* objected to giving up the taxes that had been collected. And some of the rabble, Frederick, are in gaol—and I hope you will take warning by their example.

## PHILIPSE

I speak not for the rabble, Mr. Riggs, but I have disputed this usurper's right to his Majesty's revenues.

## VOICES FROM WITHOUT

Down with Governor Dog-Driver!—No more taxes to the tyrant!—Make him bring out his prisoners!

## VAN CORTLANDT

It would seem that the rabble is here to speak for itself.

## LEISLER

Maybe for you, too, Stephanus.

*[The crowd bursts in from the left, a disorderly and disreputable-looking mob, armed with sticks, stones, pistols, etc., one carrying a cooper's adze. Bayard and Nicolls follow and slyly incite the mob against Leisler.]*

## VOICES FROM THE CROWD

*[With clumsy brandishing of weapons.]*

There he is, the tyrant!—Deacon Jailer, we've come for your prisoners.—Hey, you, Lieutenant Blockhead!—No more Leisler taxes!

## LEISLER

*[Advancing to meet them, and raising his hand for silence, while Van Cortlandt and Philipse withdraw Riggs to the right.]*

Stop!

*[The crowd huddles up sullenly.]*

Now somebody tell me what you want!

## VOICES

We'll pay no more taxes!—You are robbing the people!—No more arbitrary taxation!



## LEISLER

The taxes are not arbitrary. They were voted by the General Assembly to carry on the war against the French.

## VOICE

The French won't come here. You want the money for yourself, Governor Dog-Driver.

## LEISLER

Listen to me, you damned rascals and vagabonds! For every pound of the public money spent to defend you against the French, I have spent another pound of my own money.

## VOICES

It's a lie!—Knock him down!—Kill the Dog-Driver! —Give up your prisoners!—I want my brother out of gaol!

## LEISLER

*[Pointing to the last speaker.]*

You'll join your brother in gaol, Abraham Kip, before you get him out.

*[Pointing out Bayard, who has stolen around between Leisler and the gates of the Fort.]*

And you'll go with him, Nicholas Bayard.

BAYARD

I think not, Governor Dog-Driver. Ready, men!

*[The mob stirs, ready to attack, raising its weapons.]*

LEISLER

*[Calling.]*

Now, Abraham, come on!

BAYARD

*[As he and others of the mob place their backs against the gates to hold them shut.]*

You'll get no help from the Fort, Governor Dog-Driver. Down with him, men!

GOUVERNEUR

*[Loudly, without.]*

Scale the gates!

*[The militiamen without give an answering cheer, and several swarm after Gouverneur and Milborne over the tops of the gates. Meanwhile, the mob has made a savage rush at Leisler, surrounding him, and striking at him with their weapons, the man with the adze being particularly in evidence. Leisler defends himself with his sword with cool alertness, whirling swiftly about and fighting his]*

*way back toward the gates. Milborne has engaged Bayard in a rapier duel, while Gouverneur opens the gates, admitting other militiamen, with whom he pursues the mob, now fleeing in all directions. Milborne disarms Bayard.*

BAYARD

Don't murder a disarmed man!

MILBORNE

*[His sword at Bayard's throat.*

Evil-doers shall be cut off, saith the Psalmist.

LEISLER

Spare him, Jacob! He will look good with a chain around his leg.

*[Milborne sheathes his sword, and takes a grip on Bayard's collar. Gouverneur and his militiamen return from various directions with Nicolls and other prisoners.*

GOUVERNEUR

Mr. Nicolls, Captain, and others of the mob taken prisoner.

## LEISLER

We shall have to enlarge our gaol, Abraham.

*[Loud concerted groan from all the prisoners.]*

Well, Mr. Riggs, do you think there is any doubt now about who takes care for preserving the peace and administering the laws here?

## RIGGS

No, Commander Leisler. The King's letter belongs to you and makes you Lieutenant-Governor—until Slougher comes.

*[Handing him the letter.]*

Take it!

## GOUVERNEUR

Now then, everybody,—Hip, hip, huzzay for King William's Governor Leisler!

## MILITIA

*[With a roar.]*

Hip, hip, huzzay for King William's Governor Leisler!

*[The prisoners groan dismally, all together, as before.]*

### ACT III

*A room of the Governor's house in the Fort, the night of March 19, 1691. Dutch interior, sombre effect, with decoration of arms and oil portraits of Dutch governors on the walls. There is a wide tiled fireplace at the left (no jambs), in which a fire is burning. The door at the back is divided horizontally in the middle, showing the customary stoop without. There are wide, low windows on either side of it. Dimly seen through the door and windows at the back is the interior of the Fort, the church, etc. There is a door at the right, leading to Leisler's private apartments. There are chairs and a table with lighted candles at the right front. Leisler's belt, sword and pistols are hanging beside the fireplace.*

*Cobus is writing at the table fronting you, his head carelessly bandaged, a pair of pistols lying on the table before him. He is lighted by a red glow from the fireplace. Gouverneur appears at the rear door, the upper half of which is open. He looks in, and, seeing Cobus, knocks lightly. Failing to attract attention, he enters, and lays his hand on his friend's shoulder. Cobus snatches up his pistols and, springing to his feet, levels them at Gouverneur.*

COBUS

*[Laughing.*

A thousand pardons, Abraham! I thought, for the moment, Major Ingoldsby had taken the Fort. Has he made any attack since I left the wall?

GOUVERNEUR

No, he has withdrawn all but a sentinel or two, but there is a great crowd and much shouting at the Stadt Haus, and boats have been passing to and from the ship arrived at the Narrows.

COBUS

Can it be that Governor Slougher has arrived at last?

GOUVERNEUR

Indeed, I hope so. It was most unfortunate his ship was parted at sea from those bringing Major Ingoldsby and the King's soldiers, and forced to put in at the Bermudas for repairs.

COBUS

Yes, for when Ingoldsby arrived six weeks ago our enemies were swift to prevail upon him to demand the release of Bayard and Nicolls, and to attack the Fort when its possession was refused him.

## GOUVERNEUR

He is a soldier—commissioned only to obey the King and the Governor of New York. Why, without orders from either, has he attacked the acting Governor of New York?

## COBUS

I was but just framing another letter for father to Governor Slougher at the Bermudas, protesting against Major Ingoldsby's attack, and beseeching him to hasten hither.

## GOUVERNEUR

How are the poor fellows shot in Tuesday's assault?

## COBUS

All will recover, the chirurgeon saith. But I hear Ingoldsby had two men killed by the premature discharge of a cannon.

## GOUVERNEUR

And your own wound?

## COBUS

It smarts a little—the rascal's aim was good.

GOUVERNEUR

I am neglecting my errand; a woman at the sallyport asks admission and speech with you.

COBUS

With me? Who is she?

GOUVERNEUR

She refuses to give her name, or her business, except that it is a matter of life and death. She is masked and much perturbed.

COBUS

A spy for Ingoldsby, think you? Or perhaps a man in woman's dress?

GOUVERNEUR

She wears Ingoldsby's white badge on her sleeve.

COBUS

Bring her in blindfolded, and I will take care of her—whatever her mission!

GOUVERNEUR

I will have a guard at the door.

*[Gouverneur goes out. Cobus picks up his pistols, assures himself they are loaded, examines*



*the priming, then replaces them carefully on the table. He then glances over the letter he has been writing, makes a correction or two, and is thus engaged when Miss Livingston (masked, blindfolded, and with a white band on her left arm) appears at the rear door with a guard, who removes the blindfold and opens the lower half of the door for her.*

COBUS

You may enter, Madam.

*[She comes in hesitatingly, looks about the room in trepidation, then closes both the lower and upper halves of the door, and advances slowly toward Cobus.*

COBUS

*[Laying his hand upon a pistol.*

Now, Madam, who are you, and what is your affair?

*[Miss Livingston removes her mask.*

Miss Livingston—is it possible!

MISS LIVINGSTON

No, quite impossible, I assure you.

COBUS

How have we earned so much honor?

MISS LIVINGSTON

I come to warn you that your sweet William's new Governor is here.

COBUS

Thank God—we are saved!

MISS LIVINGSTON

No; he is closeted with your enemies, and he is a weak man.

COBUS

They cannot discredit my father's loyalty to the King.

MISS LIVINGSTON

Then they will hang him on some other pretext.

COBUS

How will they justify Major Ingoldsby's bloody assault upon the Fort?

## MISS LIVINGSTON

Think you the new Governor will not credit his creature's report? As for 'bloody assaults,' I like not the way you have yon bandage placed. Seat yourself, Master Cobus!

*[Cobus sits, and Miss Livingston readjusts the bandage on his head, humming the air of 'When the King Enjoys His Own Again.' Red firelight on the group.]*

I may be hanged, too, for rendering aid and comfort to the enemy, but—that is easier, is it not?

## COBUS

Oh, vastly! But, indeed, you do run much risk in coming thus to the Fort.

## MISS LIVINGSTON

For your sister's sake, Master Cobus.

## COBUS

*[Indicating door at the right.]*  
She is at hand and would fain greet you.

MISS LIVINGSTON

No, I have had no heart to look upon her face since her marriage to that canting mischief-maker Milborne a month ago.

COBUS

He is an austere man, but devoted to my father's cause.

MISS LIVINGSTON

[*With asperity.*

He is a grasping and revengeful marplot. But for his arrogance and misrule the massacre of Schenectady had not occurred and the expedition against Canada had not failed. So this marriage, from which your father expected so much, hath wrecked both his cause and your sister's life—to say nothing of poor Master Gouverneur.

COBUS

Alas, Madam, if my sister hath laid her heart upon the altar of duty, no one knows better how to pity her than I!

MISS LIVINGSTON

Master Cobus, if I were not here on serious business, my head would be turned quite by your flattering speeches.

[*As he starts toward her, she continues coldly:*

But this is no time for flattering speeches, Sir, with our families at war.

*[Cobus stops abashed, and she goes on very sweetly:]*

And yet, ever since you saved my life, I have felt——

*[He again becomes hopeful.]*

that your conduct hath been *much* too presumptuous, Sir.

*[Cobus in despair again, while his tormentress keeps on with her cat-and-mouse play.]*

But my affection for your sister makes me ready to forgive——

*[He revives.]*

anything short of your *bold* and *arrogant* demeanor.

*[Cobus is down again.]*

Still, your manifest partiality for my society moves me to tell you——

*[He falls upon his knees before her.]*

that you must never see my face again——

*[Cobus desperate.]*

unless I permit you, of course.

COBUS

*[Seizing her hands.]*

Madam, madam, you know I love you! Have mercy!

MISS LIVINGSTON

*[Withdrawing her hands.]*Never, *never*, NEVER!*[Milborne suddenly pushes open the upper half of the rear door, recognizes the situation, and strides sternly down upon the culprits.]*

MILBORNE

What means this mummary?

*[Cobus springs to his feet, and Miss Livingston recoils, replacing her mask.]*

COBUS

Major Milborne, this lady is here to give us friendly warning that our enemies have the ear of the newly arrived Governor.

MILBORNE

We need no gifts from the Greeks, nor advice from a Livingston.

MISS LIVINGSTON

*[Removing her mask.]*

Rest assured, Sir, it was not *you* I sought to save from the ruin wrought by your folly and presumption!

MILBORNE

Silence, you shameless termagant! You bring your Delilah arts to beguile this foolish boy into betraying us. I arrest you as a spy.

COBUS

*[Hotly, as he takes up his pistols.]*

Major Milborne, you forget yourself!

MISS LIVINGSTON

*[Very quietly.]*

Oh, no, Brother Barebones, I am not here as a spy—but for reasons quite as good as your own.

MILBORNE

I am no solver of riddles, Madam.

MISS LIVINGSTON

*[Goes to Cobus, and places her arms about his neck.]*

You *have* married into the family—and I am *going to*.

MILBORNE

*[Aghast.]*

I am grievously afflicted to hear it.

MISS LIVINGSTON

I hoped you would be—and I'll take care you don't change your mind.

MILBORNE

Does your father know of this—misfortune?

COBUS

*[Very happy, as he holds Miss Livingston close.*  
Not yet!

MILBORNE

Well, he shall—at once—and we'll see how your fool's paradise fares when he hears he has a traitor in the family.

*[Milborne slams angrily out, right.]*

MISS LIVINGSTON

*[Struggling to free herself the moment Milborne is gone.]*

Unhand me, Sir!

COBUS

*[Kissing her repeatedly, despite her resistance.]*  
'Never, never, NEVER!'



MISS LIVINGSTON

*[Trying to be indignant.]*

Surely you mistook not my ruse to escape arrest?

COBUS

*[Holding her tightly.]*

No mistake in the world, dear Joanna. Your arms outvote your tongue two to one.

MISS LIVINGSTON

*[Hiding her face on his shoulder.]*

But can't you see that my eyes are against you, too?

COBUS

Why, so they are!

*[Kissing her on the eyes.]*

The eyes have it.

MISS LIVINGSTON

But haven't you some important or daring military duty which you are neglecting to hold on to me like this?

COBUS

Nothing half so important—or so daring.

MISS LIVINGSTON

*[Without conviction.*But I *must* go—*really*.

COBUS

You are under arrest, you know, but I'll parole you—on one condition.

MISS LIVINGSTON

*[Faintly.*

What condition—Cobus?

COBUS

That you kiss me—just once—in confirmation of what you told Major Milborne.

MISS LIVINGSTON

Think you truly it would afflict Brother Barebones so sorely?

COBUS

Oh, it's most certain! He'll probably quit the Province.

MISS LIVINGSTON

Zounds, nothing else sh'd move me to 't, but——

*[She kisses him conclusively.*

there now!

*[She tears away from him in a panic, and runs out, he following. Milborne returns, looks about the room in disappointment; picks up the mask dropped by Miss Livingston, and throws it into the fire; glances scornfully over the letter left by Cobus on the table, tears it up, and scatters the pieces; and is pacing back and forth in vindictive unrest when Gouverneur comes in by the rear door.]*

## GOUVERNEUR

Major Milborne, it is confirmed that Governor Sloughter hath arrived.

*[Their colloquy is swift and brusque, each showing his dislike for the other.]*

## MILBORNE

We know that already. What more?

## GOUVERNEUR

He was met and brought to the Stadt Haus by Van Cortlandt and other our enemies, and there read his commission and took oath of office.

## MILBORNE

And then?

GOUVERNEUR

Then Van Cortlandt, Philipse, Minvielle, Dudley, Willett and Pinhorn were sworn members of his Council.

MILBORNE

All our sworn foes as well, perdition catch them!  
What do they now?

GOUVERNEUR

When my messenger came away, the Governor was shut up with these Councillors and Major Ingoldsby.

MILBORNE

Then we shall hear from him betimes. Have you notified all this to the Commander-in-Chief?

GOUVERNEUR

Yes, and he has sent Ensign Stoll to make sure the new Governor is Sloughter.

MILBORNE

Fool, fool!

GOUVERNEUR

You mean Stoll?

MILBORNE

I said 'fool' twice—do not tempt me to say it a third time!

GOUVERNEUR

*[Advancing upon Milborne menacingly.]*

You have no warrant, Sir, for such a word touching either the Commander or me!

*[Mary appears timidly at right. Milborne confronts Gouverneur, as if about to make angry reply; then, seeing Mary, addresses her with sharp impatience.]*

MILBORNE

Well, what do you want?

MARY

I want my father.

MILBORNE

What for?

MARY

Little Francina is ill and keeps calling for him.

MILBORNE

He is beset with public cares, and has no time for sick children. Quiet her yourself!

MARY

*[Humbly but firmly.*

Mother and I have both tried, but she sends us away,  
and will have only her father.

MILBORNE

She cannot. Let that suffice!

MARY

But her fever keeps rising, and there is grave danger.

MILBORNE

Then give her a sleeping potion!

MARY

But her father——

MILBORNE

Go back and do as I bid you!

*[During this interchange Gouverneur shows that he is making a supreme effort to restrain himself, and, at Milborne's last command, he reaches the limit of his endurance, and darts out. As Mary turns slowly toward her door, Milborne continues:*

## MILBORNE

So you are ready to go—now that Mr. Gouverneur is no longer here to pity you!

*[She looks at him a moment in dumb anguish, bursts into tears, and again starts to go.]*

Stay, I would have further speech with you touching this young Gouverneur!

*[Leisler comes in hurriedly from the rear. Mary rushes to him, and falls into his arms.]*

## MARY

Oh, father, poor little Francina is worse, and [*sobbing*] she keeps calling for you, and we can't comfort her, and——

## LEISLER

*[Throwing his hat into a corner.]*

Yes, yes, yes, I know—Abraham has told me. Don't you cry, Mary! [*Pushing her toward the right.*] Tell Francina vater will come to her in one minute!

*[Mary goes quickly.]*

## MILBORNE

Governor Sloughter's affair can wait, I suppose, while you trifle with woman's work!

LEISLER

Slughter can go to hell—and take *you* with him—  
when my baby calls me.

MILBORNE

With the father playing nurse, and the son consorting  
with the enemy, the country bids fair to go, too.

LEISLER

[*Startled.*

What's that? Cobus 'consorting with the enemy'?

MILBORNE

I found him here but now in dalliance with that brazen  
Livingston huzzy.

LEISLER

What did she want here?

MILBORNE

Oh, her pretext was to warn us that our enemies have  
beguiled the new Governor.

LEISLER

I am afraid that is true—Gouverneur makes the same  
report.



## MILBORNE

Bah, it was a trick to betray us! But when I offered to arrest her as a spy, she threw herself upon your son and made threat to marry him.

## LEISLER

*[Secretly pleased, but willing to placate Milborne.]*

Robert Livingston's sister—threatened—to marry—Cobus?

*[Milborne nods.]*

Jacob, I don't wonder you lose your temper.

*[Holding out his hand.]*

Forgive me, I was unjust to you!

## MILBORNE

But what are you going to *do* about it?

## LEISLER

*[Slowly, remembering Milborne's own case.]*

Well, Jacob, I think I will not interfere some more in this love business. Maybe she was only joking when she made that threat to marry Cobus. Her bark is worse than her bite.

*[Joost Stoll dawns stolidly at the back door.]*

Ach, Stoll, you saw the new Governor—is he Slough-ter for sure?

STOLL

*[Comes in solemnly, enjoying his own importance.]*

You commanded me to go. I went. I am here.

LEISLER

Yes, yes, but did you *see* him?

STOLL

You sent Ensign Joost Stoll because he is the only man in Fort William who has ever seen Governor Slough-ter in England, and can truly report to you whether he is come.

LEISLER

I know that. *Has* he come?

STOLL

*[Looking reproachfully at Milborne.]*

*Some* people say Ensign Joost Stoll is a *fool*, but the Commander-in-Chief of this Province knows he can trust Ensign Joost Stoll.

LEISLER

[*Taking Stoll by the shoulders and shaking him.*

*Will* you answer my question?

STOLL

You sent me to England——

LEISLER

I sent you to the Stadt Haus. *Did you see Sloughter there?*

STOLL

I am coming to that. I went to the Stadt Haus——  
[*Pause.*

LEISLER

And saw Sloughter?

STOLL

I went to the Stadt Haus, and there was a great crowd there, and a guard of red-coats, and they didn't want to admit me, but when I told them I was Ensign Joost Stoll, come from Commander-in-Chief Jacob Leisler, with a message for Governor Sloughter——

LEISLER

Did you *deliver* that message?

STOLL

I went to the Slaughter Haus——

LEISLER

*[His sword-point at Stoll's breast.]*

You *will* go to the slaughter-house this instant if you don't tell me whether you saw Slaughter!

STOLL

Yes, I saw him.

LEISLER

What did he say—quick!

STOLL

He was irreverent to me, for when I told him I was glad he was the same man I had seen in England, he answered, mighty high-and-mighty, 'Yes, I have been seen in England, and intend now to be seen in New York.'

LEISLER

But brings he no letters or orders to me from the King?

STOLL

No, he says the King does not even know your name.

LEISLER

Not a word from the King to Jacob Leisler?

STOLL

Not a word—either to you or to me—and I kissed his hand!

LEISLER

[*Crestfallen.*

That looks bad, Jacob.

STOLL

When I was in England——

LEISLER

Go to bed, Stoll! You must be tired.

[*Stoll salutes with virtuous military precision, whirls on his heel and goes out. Leisler slowly seats himself beside the table, and buries his face in his hands.*

Not—one word—from the King—to old Jacob Leisler! He does not—even—know—my name!

MILBORNE

[*Bitterly.*

You had your chance to make him know your name—you still have a chance.

LEISLER

*[Not heeding Milborne.*

He sends a Governor who makes haste to join hands with the traitors who refused to proclaim him!

MILBORNE

Because William is an aristocrat and they are aristocrats. Are *you* an aristocrat?

LEISLER

No thanks for me—not even a place in the Council—honors only for my enemies—his enemies!

MILBORNE

Did I not warn you William's favors are for them he fears?

LEISLER

And for this I have spent two years fighting these friends of King James, these foes of the Protestant religion!

MILBORNE

*[Vehemently.*

I tell you, Leisler, it is no question of William or James, no question of Protestant or Catholic; it is question only of those determined to rule and those

willing to submit. And you *are* willing—willing to let this cold-blooded King overseas send his hireling here to set his heel upon your neck, to re-establish your enemies in power, to turn the people of New York over from the tyranny of James to the tyranny of William.

LEISLER

No, Jacob, no! It is question of God, who rules us all, of God who makes erring kings serve purposes that do not err. William may be unjust to me, but I can not be disloyal to God—or to him.

MILBORNE

And have you no loyalty, no duty, to the people of New York, who gave you this charge, who look to you to defend their rights against this monstrous conspiracy of kingly prerogative and aristocratic assumption?

LEISLER

What do you wish me to do?

MILBORNE

This, Herr Commander-in-Chief of the Province of New York! It is not yet too late to send this Gov-

ernor Sloughter back to London to tell William the people of New York have made you their Governor and look to him to confirm their commission. They are with you; New England is with you. America awaits its own Oliver Cromwell!

## LEISLER

*[Rising and speaking with solemn earnestness.]*  
Aber, Jacob, listen to me! I think it is so, what you say about America—but the time is not yet. These Provinces are too weak to stand alone. They need a king over the water to protect them from the other kings over the water. And I am no Cromwell—only a broken-hearted old man, who will not seek to supplant the ruler he has proclaimed—no matter how ungrateful that ruler may be.

*[Trumpet call and confused shouting without.]*  
There is a summons at the sallyport. See what they want!

*[Milborne goes, and Mary returns, carrying Francina in night-dress.]*

## MARY

She *would* come to you.



## LEISLER

*[He rushes and takes the child in his arms, kissing and cuddling her. Mary vanishes, content.]*

Did poor little sick Francina think her hard-hearted old vater *never* would come? Didn't he *know* she couldn't go to sleep anywheres but in his arms?

*[Feeling first the child's head, then her feet.]*

Poor little hot head—poor little cold feet!

*[Goes to fireplace, and, kneeling before it, holds the child's feet out to warm—picture in the red firelight.]*

How did Sister Mary think Francina could go to sleep when her feet was so cold as—as King William's heart? Such a foolishness, all this Slaughter business, when Francina wants her vater!

*[Softly and with longer and longer pauses between words.]*

There, now—little feet are nice and warm—and little head—is getting—nice and cool—and little Francina—is going—off to sleep.

*[He rises and paces back and forth, crooning a lullaby. Milborne returns. Leisler places his finger on his lips, indicating Francina.]*

MILBORNE

[*Low.*

Major Ingoldsby to see you, with a message from Sloughter.

LEISLER

Bring him in!

[*Milborne goes, while Leisler continues to pace back and forth until his return with Major Ingoldsby, in full British uniform, a white band on his left arm, blindfolded. Milborne leads him to Leisler, and removes the blindfold.*

INGOLDSBY

[*Noting Leisler's employment, with haughty disdain.*

Are you Jacob Leisler—or one of his domestics?

LEISLER

[*With dignity.*

I am Jacob Leisler—at his Majesty's service, and yours.

INGOLDSBY

[*Roaring.*

Then, in his Majesty's name, and by command of Governor Sloughter, I demand the instant surrender

of this Fort, and the release of Col. Bayard and Mr. Nicolls.

LEISLER

[*Low and menacing.*

Not so loud! If you wake this sick baby, I'll break your damned head.

INGOLDSBY

Moreover, Governor Slougher orders you, and such as are called your Council, to report yourselves to him at the City Hall forthwith.

LEISLER

I hold his Majesty's commission as Lieutenant-Governor and Commander-in-Chief of this Province. So, I have the *right* to demand his Majesty's order, directed to me, for the surrender of his Majesty's Fort. Do you bring me such an order?

INGOLDSBY

No. Neither his Majesty nor Governor Slougher take any notice of your pretensions.

LEISLER

Jacob, what you think of that, eh?

## MILBORNE

I think if you surrender the Fort without Governor Sloughter's recognition that you have been acting as a loyal and authorized guardian of his Majesty's interests, you confess that all your acts have been unlawful.

## INGOLDSBY

King William has sent Governor Sloughter here to rule this Province. If you heed not his orders, you are in treason to his Majesty.

## LEISLER

That's a nice pickle! If I *don't* surrender the Fort, I am a damned traitor; if I *do* surrender the Fort, I am a damned fool! [*Considers a moment*] I will think some more about that surrender business—and see what my Council says.

[*His mind made up.*]

Jacob, go you with Mayor De La Noy, and pay my respects to Governor Sloughter! Show him my commission from King William and from the people of New York. Say I am ready to turn the government over to him, and beg him not to lend himself to the stroke of my enemies, who are wishing to cause me some mistakes at the end of my long and faithful service to my gracious King and Queen.

INGOLDSBY

But what answer do you make to his demand for the immediate surrender of this Fort?

LEISLER

This answer, Major Ingoldsby—and, as a soldier, you ought to know it is a good answer—by military law, no fort can be surrendered in the night-time!

INGOLDSBY

*[Whirling angrily on his heel.*

You shall hear from us shortly as to that.

*[Starts to go.*

MILBORNE

Not without your blindfold, Sir!

*[He replaces the blindfold over Ingoldsby's eyes with discourteous roughness, then leads him away with a jerk.*

LEISLER

*[To child, held in his arms during the preceding scene.*

However did Francina sleep through all that hurly-burly?

*[Looking at her sharply.*

Oho, she isn't asleep! Why, you make-believe, Francina, to fool old vater?

*[Bending his ear down to catch her whispered reply.]*

'Because you was 'fraid of big red-mans.' Do you think vater would let big red-mans hurt little Francina?

*[Cuddling the child closer, and resuming his march to and fro.]*

Now, this time, Francina must go to sleep for sure, because it is two, three, maybe four o'clock, and pretty soon old Fort rooster begin to crow, when *nobody* can sleep.

*[Hums lullaby softly for a turn or two, then, half to himself:]*

Poor little Francina—to think old vater neglect his babins for a king away off yonder who sends him no word of thanks for all his faithful service, for all the money, time and love he has given, for all the bitter enemies he has made—for a king who does not even know his name!

*[Gently kisses the child's hand.]*

But don't you mind that, Francina! Maybe now, after these two years of shedding blood and tears for a king who rather be served some *other* way, Jacob Leisler may be given the reward to go back to his

own family and his own affairs. If King William doesn't need him any longer, you need him always!

*[A second trumpet summons is heard, and confused voices without. Leisler listens a moment, looks at the child to make sure she is asleep, then tiptoes gently out right. The room is left vacant a moment during which the trumpet call and tumult are renewed and become more insistent. Then Gouverneur comes hastily from the rear, looking about anxiously. Leisler returns.]*

## GOUVERNEUR

Major Ingoldsby at the sallyport again, Sir, with all his force, threatening to assault the Fort unless it is surrendered instantly.

## LEISLER

Have Milborne and De La Noy come back?

## GOUVERNEUR

No. Ingoldsby says Sloughter refused them audience and had them haled off to gaol.

## LEISLER

*[Thunderstruck.]*

A-bra-ham!

GOUVERNEUR

I fear it is true, Sir.

LEISLER

Do our militiamen show any white feathers?

GOUVERNEUR

They are mad to fight Ingoldsby. Not a man of the whole three hundred but would lay down his life for you.

LEISLER

Where is Cobus?

GOUVERNEUR

With his men at the Half-Moon battery.

LEISLER

*[His resolution taken.]*

*Sacrement!* Come, we'll go on, we'll go on, and show this Governor Sloughter whether he can abuse King William's authority to please King William's enemies! Send the men to the parapets and see they all have their pikes! Load all the cannon with *musket-balls*, and double the guard at the sallyport.

*[Gouverneur starts to go.]*

But, Abraham—not a shot must be fired until *they* begin.



## GOUVERNEUR

[*Turns at the door as a renewed trumpet call is heard.*]

What shall I tell Ingoldsby?

## LEISLER

Tell him to go to—[*checks himself*] bed!

[*Gouverneur whirls away. Leisler rushes to the fireplace, takes down his belt, sword and pistols, and hastily puts them on. Putting his hand to his head, he discovers his hat is missing, and looks about for it in haste, finally rescuing it from the corner where he had thrown it. A moment or two after Gouverneur's exit, a roll of drums is heard without, then a confused uproar, and finally shouts of 'Leisler, Leisler, Leisler!' Mary reappears at her door.*]

## MARY

What is it, father?

## LEISLER

Mary, there is going to be another battle. We have to show these red-coats how Dutchmen and Frenchmen *can* fight when nothing else will do. Keep away from the windows, all of you; lock the doors; tell

mother to trust in God—and don't forget to give Francina her medicine!

*[The third trumpet call is heard without. The light from the fireplace dies down, and early morning effect is seen through the door and windows at rear, growing stronger as the action progresses.]*

There goes Ingoldsby's last summons—he will open fire next.

*[Holding out his arms, into which she rushes.]* And if old vater shouldn't see you any more, remember always his heart is full of gratefulness for all you did for him—and of grief for all it cost you! Now go—quick!

*[Mary does so. Gouverneur comes back.]*

#### GOUVERNEUR

Major Ingoldsby once more, Sir, with a message of peace from Governor Slughter.

#### LEISLER

In God's name, bring him in!

*[Gouverneur goes. Leisler lays aside his hat and extinguishes the candles—it is now broad daylight. Groans and execrations are heard without as Gouverneur returns with Ingoldsby.]*

INGOLDSBY

Captain Leisler, it is now daylight, so your objection to surrender the Fort in the night no longer holds good. Governor Sloughter and members of his Council ask permission to confer with you about the matter here.

LEISLER

Am I to understand that Governor Sloughter agrees to treat me as he ought an official ready to give him an exact account of all his actions and conduct?

INGOLDSBY

I can assure you he will treat you exactly as you ought to be treated.

LEISLER

That is all I ask. Abraham, go to the sallyport, admit Governor Sloughter and his Council and bring them here. [*Gouverneur salutes and departs*] You see, Major, all this trouble and bloodshed might have been avoided if you had shown me any order from the King to surrender the Fort to you. I don't think you *had* such an order, and without it you were subject to *my* commands—not I to yours.

INGOLDSBY

All of which you will do better to certify to his Excellency.

*[Père Millet comes in from the rear.]*

LEISLER

*[Gayly.]*

Aha, mon ami, vous arrivez de bonne heure! Major Ingoldsby, here is one of my prisoners who has made me captive—Père Millet, Major.

*[Père Millet bows with grave courtesy: Ingoldsby takes no notice of the introduction.]*

He is a black-robe Papist, and a subject of Louis XIV, but I think he is quite so like to go to heaven as that old rogue, Dominie Selyns, that Dutch-Frenchman and Protestant upholder of King James.

PÈRE MILLET

My son, I shall to thank le bon Dieu if he have let me show you it is not need the black robe shall cover the black heart.

*[Leisler goes to Père Millet and takes his hand. Gouverneur returns, escorting in Van Cortlandt and Philipse, then Sloughter, a red-faced, dissipated-looking man, somewhat past middle*

---

*age, wearing the uniform of a British colonel.  
All have white bands on their left arms.  
They go to Ingoldsby.*

## GOUVERNEUR

Leftenant-Governor Leisler, this is Governor Slough-  
ter.

## LEISLER

*[Goes to Sloughter and offers his hand.]*

Your Excellency must pardon that I have not taken  
earlier occasion to bid you welcome, but the Major  
here has made it rather difficult to leave the Fort.

## SLOUGHTER

*[Haughtily ignoring Leisler's hand.]*

Are you *now* ready to leave the Fort?

## LEISLER

*[Nettled.]*

Yes—if *you* are ready to receive it from me as one  
officer of King William accepts the charge of King  
William's property from another officer of King Wil-  
liam.

## SLOUGHTER

Why do you seek to make terms with me, Sir?

## LEISLER

Because you have listened only to my enemies—because you have imprisoned members of my Council sent to you. It does not so much matter what becomes of old Jacob Leisler, but the people of New York gave me this command, and I must be sure the people of New York do not suffer because I lay it down.

## SLOUGHTER

You are disloyal, Sir. The Lords and Commons of England choose their own rulers—the people of New York do not.

## LEISLER

Not so fast, Governor Slughter! The people of New York *had* to choose between the officers of a king who had deserted his throne and rulers of their own. And King William himself approved their action by his letter confirming my authority. So it is *you* who are disloyal to his Majesty when you undertake to discredit me to please King James's followers.

## SLOUGHTER

This is trifling, Sir. Your position is as untenable in fact as it is in theory. I have two companies of

English grenadiers, and the man-of-war *Archangel* to back up my demand for instant possession of this Fort.

LEISLER

[*Gravely.*

When it comes to *that*, Sir, I have here a garrison of nearly four hundred burghers, mad to fight your red-coats, and stores of ammunition and provisions to stand a siege. And when your attack begins you will find *ten* men outside the Fort for every one inside it ready to resist you.

SLOUGHTER

[*Startled and taking a more moderate tone.*

But these gentlemen tell me the people are not all on your side.

LEISLER

No, not *quite* all. There are a few rascals in New York as well as in old England. But how will his Majesty like that you begin your rule here with a civil war—especially when you get the worst of it?

SLOUGHTER

[*In a crestfallen whisper to Van Cortlandt and Philipse.*

Zounds, gentlemen, I fear the fellow has us on the hip!

[*They nod assent.*]

Well, Captain Leisler, just what do you ask me to do?

LEISLER

I have already told you—I ask to be treated as one of King William's loyal governors who surrenders his charge to another. I ask you to release Major Milborne and Mayor De La Noy, to treat my Council, and the other people of the Province who have supported me, as faithful subjects of his Majesty, and to permit my garrison to retain their own arms, surrendering only what belongs to the King.

SLOUGHTER

And if I do all this, will you march out of the Fort and turn over your authority, stores and prisoners to me?

LEISLER

Most gladly.

SLOUGHTER

Then I accept your proposition—subject to the approval of my Council, of course. What say you, gentlemen—this is the wisest course, is it not?



VAN CORTLANDT

[*Low.*

For the present—yes, your Excellency.

PHILIPSE

[*Low.*

Yes, *for the present.*

SLOUGHTER

Then we may consider the matter settled, and I should like you to give the necessary orders at once.

LEISLER

Abraham, order the Captains to withdraw their men from the parapets, form by companies and march out to the Bowling Green, where they will salute the new garrison as it enters the Fort. Beg them to give the new Governor the same loyal support they have given me, and [*with emotion*] tell them Jacob Leisler thanks them with all his heart for the devotion they have given the old man who now so gladly lays down the burden of care there is no longer need for him to bear! Go yourself and release Col. Bayard and Mr. Nicolls and bring them here.

[*Gouverneur departs on this errand.*

## SLOUGHTER

Major Ingoldsby, you will march your force into the Fort as soon as it is vacated.

*[Ingoldsby salutes, and starts to go, when he is detained for a moment's whispered conversation by Van Cortlandt and Philipse. There are sounds of angry protest without, then drum-taps diminuendo, as of troops marching away. Leisler listens a moment, then to Sloughter:]*

## LEISLER

You hear those rascals? They have held the Fort so long they think it *belongs* to them. And then—maybe you don't know those pig-head Dutchmen?—they didn't want to fight when first the Major fired on the Fort—and now they don't want to quit!

## SLOUGHTER

*[To Van Cortlandt and Philipse.]*

I wonder not you murmur, gentlemen, having a so turbulent rabble to reckon with.

*[To Leisler, indicating Père Millet.]*

Who is this person, and what is he doing here?

## LEISLER

I beg your Excellency will pardon my neglect. Venez ici, mon ami! This is Père Millet, a French priest, taken prisoner by our Indians while he was praying with a sick squaw. I thought he was a spy for Frontenac, but I find he is only a spy for God, so I recommend that your Excellency send him back to France—there is really no charge against him.

*[Gouverneur returns, followed by Bayard and Nicolls, unkempt, haggard, and hatless. Gouverneur indicates his charges, salutes Leisler, and again departs.]*

## SLOUGHTER

He seems to have enjoyed more liberty than some of your other prisoners.

## LEISLER

Liberty, your Excellency, is for honest men, not for rogues such as—permit me to introduce Col. Bayard and Mr. Nicolls!

## SLOUGHTER

I am gratified to meet you, gentlemen, and to rescue you from your unhappy situation.

## BAYARD

We are humbly grateful to your Excellency for deliverance from this barbarous, bloody-minded tyrant.

## NICOLLS

And trust no mistaken clemency, no legal quibble, may save his neck from the halter. *Lex dubia non obligat.*

*[Bayard and Nicolls are warmly greeted by Van Cortlandt and Philipse, with whom they exchange excited whispers.]*

## LEISLER

When it comes to hanging, your Excellency will note that if I had been the bloody-minded tyrant these rascals say—they would not be here to say it.

## SLOUGHTER

Gentlemen, gentlemen, I must fain cry, with Mercutio, 'A plague o' both your houses!' A truce to recrimination! Captain Leisler has surrendered the Fort and I have agreed to treat him as his Majesty's officer. What more?

## BAYARD

This, your Excellency! Your agreement with Captain Leisler was made subject to the approval of your Council. I am told that I and Mr. Nicolls are named members of your Council by his Majesty, and we demand that this fellow be tried for his crimes.

## LEISLER

*[To Sloughter, astounded.*

Bayard and Nicolls members of your Council?

## SLOUGHTER

Such is his Majesty's command. But I do not see how that affects my agreement.

## PHILIPSE

Your Excellency's agreement was based on the presumption that Captain Leisler had been loyal to King William. Col. Bayard and Mr. Nicolls bring new evidence that he was in treason to his Majesty.

## SLOUGHTER

*[Sharply.*

What evidence?

*[The subsequent accusations against Leisler are rehearsed with breathless haste.*

BAYARD

Evidence that he plotted to make himself king of his Majesty's American Provinces. We have both heard him say that if he were not continued Governor, he would hold the Fort despite his Majesty.

NICOLLS

And that the King is only a servant of his subjects—  
*vox populi est vox Dei.*

VAN CORTLANDT

Touching your Excellency's present Councillors, he declared that if the King should send three thousand such he would cut them all off.

BAYARD

Moreover, he kept in pay a pirate to carry him to the coast of Guinea upon your arrival.

NICOLLS

With hot shot ready to burn the town if you refused to treat with him.

BAYARD

Saying he had ruled by the sword and would go on so.

NICOLLS

And that if he sent for any man's head it would presently be brought to him.

PHILIPSE

Moreover, he likened himself to King William in seizing the command.

*[From without come sounds of distant disturbance, shouts of 'Rob them!' 'Beat them!' 'Take their guns away from the rascals.'*

SLOUGHTER

Hark! What is that disturbance?

VAN CORTLANDT

Doubtless a fresh outbreak of the rabble against your Excellency's authority.

SLOUGHTER

*[To Leisler, sternly.*

Well, Sir, what do you reply to these charges?

LEISLER

Nothing—I am not on trial. But it may occur to your Excellency that I have *not* made myself king, I have

*not* refused to proclaim William and Mary as these rascals did, I have *not* failed to surrender the Fort to you, I have *not* sent for any man's head, I have *not* burnt the town, and I have *not* run away to Guinea with a pirate.

## PÈRE MILLET

*[Slowly picking out his words.]*

If your Excellence deign pardon one little word to a prisoner poor, I wish call to attest of Heaven the Power Supreme that the Commander Leisler himself devotes always to the service of your King.

*[Ingoldsby comes back hurriedly, followed by a guard of red-coat soldiers, carrying muskets with fixed bayonets.]*

## INGOLDSBY

*[Impetuously.]*

Governor Slughter, the town is in an uproar, and only sharp measures will prevent an open revolt.

*[Gouverneur rushes in and goes to Leisler.]*

## GOUVERNEUR

Commander Leisler, our troops were set upon by the red-coats as they were marching out of the Fort, and vilified, beaten and robbed of their arms.



INGOLDSBY

The rabble taunted them to attack us, and I had to disarm them to prevent bloodshed.

GOUVERNEUR

Our troops were in order, Sir. With my own eyes, I saw Major Ingoldsby incite his men to attack them.

INGOLDSBY

'Tis false! They began it.

LEISLER

Governor Sloughter, you gave me your word that my men should be treated as loyal subjects to his Majesty, and should be allowed to keep their arms.

INGOLDSBY

With an armed rabble and this fellow to lead them we shall never have peace.

*[Ingoldsby and the Councillors crowd around Sloughter and importune him.]*

VAN CORTLANDT

Your Council demand his arrest!

SLOUGHTER

*[Helplessly.*

But my word, gentlemen, my word!

BAYARD

Traitors have no right to make terms.

LEISLER

*[With vehemence.*

Governor Slughter!

*[The Councillors recoil and Slughter turns to  
Leisler.*

These men are my enemies. They have hatched this plot to destroy me. It is *they* who are traitors to his Majesty, traitors to the people of New York, and traitors to *you*, when they try to make you break your word and become their tool and catspaw, *the biggest traitor of them all!*

INGOLDSBY AND COUNCIL

*[In pretended horror.*

A-h-h-h!

SLOUGHTER

Enough, Sir! Your sword!

## LEISLER

*[Drawing his sword and standing at bay.]*

Let those who want my sword come and take it!

*[Gouverneur draws and springs to Leisler's side, while the soldiers, at a signal from Ingoldsby, form a semi-circle ready to attack them.]*

## PÈRE MILLET

*[A gently restraining hand on Leisler's arm.]*

Non, non, mon ami—c'est trop tard! Remember your family! Remember the people who look to you for example! Confide you in your King! Confide you in the King of Kings!

*[Tableau: Leisler's face shows his bitter struggle between flaming indignation and recognition of the hopelessness of resistance. Finally, with a supreme effort at self-control, he slowly takes his sword-blade in his left hand and tenders the hilt to Sloughter, who takes it.]*

## SLOUGHTER

I am instructed by his Majesty to inquire strictly and impartially into your case. I shall appoint a special

court to try you and your accomplices for treason. Bind him!

*[The soldiers rush at Leisler and treat him with extreme indignity, taking his sash, pistols, coat and wig, forcing him to his knees and binding his arms behind him. Gouverneur is disarmed and bound also. Leisler is tenderly helped to his feet by Père Millet.]*

## LEISLER

Never mind about me, mon ami! I was taken by Turkish pirates once—this is not much worse.

## BAYARD

If your Excellency will permit, I should like to suggest that this villain be shut up in the same hole where he has kept me, and be manacled by the same chain he had put upon my leg.

## SLOUGHTER

It shall be done.

*[Mary comes in with a tray.]*

Well, young woman, what do you want here?

## MARY

I have brought my father's coffee, Sir.

## LEISLER

I think I will take my coffee in gaol this morning, Mary.

[*To Père Millet.*

You will join me, mon ami?

## PÈRE MILLET

[*Lifting his crucifix.*

Mon fils, it is my mission to hold up before all persecuted and suffering men the emblem of Him who was persecuted, suffered and died for us all.

## SLOUGHTER

Take him away!

[*As Gouverneur is being led off after Leisler, Mary timidly places her hand on his arm, in sympathy and appeal, but he turns sadly and coldly away, to her manifest distress.*

## LEISLER

[*Whirls suddenly at the door and roars back at the conspirators:*

I appeal from King William's Governor to King William himself!

## ACT IV

*You see the richly-furnished reception room of Col. Bayard's house, on the night of May 14, 1691. The door at the right leads to the entrance hall; that at the left to the inner apartments. Near you on the left is a table upon which are a punch bowl, numerous glasses, and a lighted candle. Opposite this table, on the right side of the room, is a window showing without the end of a flag-staff with an English flag on a halyard draped on a chair within, ready to be run out.*

*Music and revelry are heard from the inner rooms, as Peter comes from the hall, showing in Ingoldsby.*

PETER

I will tell Governor Sloughter you wish to see him, Major Ingoldsby.

INGOLDSBY

*[Showing a document held in his hand.]*  
Say to his Excellency it is matter of pressing moment.

PETER

Yes, Sir.

*[Starts to go.]*

INGOLDSBY

Stay, Peter! I will see Col. Bayard first—his guests can spare him a moment, surely?

PETER

[*Hesitating.*

He is celebrating his daughter's wedding, you know—but I can give him your message.

INGOLDSBY

Do so—tell him it is most serious!

[*Peter goes out left, while Ingoldsby walks to and fro in agitation, scanning the document he holds, until Bayard appears, in gala attire, a glass of wine in his hand.*

BAYARD

You are late, Major—my daughter is already a bride—but [*offering the wine*] you shall drink to her happiness.

INGOLDSBY

I bring you news which will blast *your* happiness—as it has mine.

BAYARD

Oh, I am beyond reprisal! With my daughter well married, with Leisler and Milborne condemned, and his Excellency pledged to sign their death-warrant at once—*nothing* can touch me now.

INGOLDSBY

[*Showing document.*

Nothing but *this*—a letter to Governor Slougher from the Earl of Nottingham, sending King William's reprieve for any condemned by our court.

BAYARD

[*Thunderstruck, placing the wine-glass on the table unsteadily.*

Major!

INGOLDSBY

Read for yourself!

BAYARD

[*Runs over the document hastily.*

'By intercession of Capt. Benjamin Blagge'—that pestilent Leislerite who went abroad—'his Majesty reminds Governor Slougher of the instructions to



strictly and impartially inquire into the causes of the late disturbances'—

*[Mumbles over some intervening phrases.]*

—'his Majesty's reprieve for any condemned, and the withholdment of sentence until his royal pleasure may be further known.'

*[Pause.]*

This is grave, Major!

INGOLDSBY

'Grave!' Damme, it's disastrous! When his Excellency reads that, he will never sign the death-warrant.

*[Holds out his hand for the letter.]*

BAYARD

*[Resolutely putting the document behind him.]*

It must not come to his hand until the death-warrant is signed and executed!

INGOLDSBY

Zounds, Colonel, that is a desperate recourse—it might cost me my commission!

BAYARD

And if that villain Leisler lives to plead before the King, how will your commission fare?

INGOLDSBY

*[Doubtfully.]*

With the governor in his cups, and our friends pressing for sentence, the thing *might* succeed.

BAYARD

It *must* succeed. How came this letter to hand?

INGOLDSBY

With others by the ship *Bear*, just arrived from London direct.

BAYARD

Then it is like Capt. Blagge hath sent news of the reprieve by the same post to some of the rabble here. Go you at once and seize any such!

*[Urging Ingoldsby away, and returning the document.]*

Meanwhile you can mislay my Lord Nottingham's letter in some safe place.

INGOLDSBY

I'm damnably qualmish about this enterprise, Colonel.

## BAYARD

*[Again pressing the wine upon him.]*

Here, let a soldier's comfort restore you to a soldier's courage!

*[Ingoldsby drinks.]*

Now, off with you to the Stadt Haus, make all secure, and come back speedily—we shall need you here!

*[Bayard hurries Ingoldsby out toward the entrance hall in earnest conference. The voice of Miss Livingston is heard coming from the inner rooms.]*

## MISS LIVINGSTON

Confess, now, Sir Bachelor, you envied the bridegroom most sourly!

*[She comes in on Nicolls's arm, both in wedding bravery.]*

## NICOLLS

Indeed, Madam, I had been well content to occupy his station if the bride had been one I might mention.

## MISS LIVINGSTON

Fie, fie, you play upon a woman's weakest rampart, her curiosity! Name this 'proachless paragon, and let me be your envoy at her court!

NICOLLS

I could ask no more potent ambassadress, for, *mutato nomine de te fabula narratur*.

MISS LIVINGSTON

I shall beseech our learned Governor Sloughter to translate that for me—if, indeed, he is not too far gone in drink to understand even plain English.

NICOLLS

Zounds, I hope not, for he has important business yet to-night—the warrant for the execution of Leisler and Milborne is still unsigned.

MISS LIVINGSTON

But they have appealed from the judgment of your court to the King. Surely his Excellency will not deny them that right?

NICOLLS

Bah, they *have* no such right! The Governor stands for the King here—*in loco regis*.

MISS LIVINGSTON

But they denied the jurisdiction of your court, did they

---

not, when you refused to rule on whether your King's letter to Nicholson gave Leisler authority?

NICOLLS

Another technicality! His Excellency brushed that plea aside, and, since they allowed themselves to be condemned as mutes, they shall be executed as mutes.

MISS LIVINGSTON

Tyrannical and hot-headed as the man was, your worshipful William can hardly sanction the execution of one who ruled the Province for two years in his name.

NICOLLS

His Majesty must needs sanction what is done by his own Governor—especially, when it can't be undone—*factum est*.

MISS LIVINGSTON

I marvel not, Mr. Nicolls, that you, who have felt Leisler's heavy hand, are bitter for his death. But I hear, also, that the people are much displeased, and have petitioned Governor Sloughter to refer the matter to London.

NICOLLS

Oh, the voice of the rabble is ever for misrule, but the best people of the Province are hot for the punishment of this German upstart—chief among them your brother!

MISS LIVINGSTON

I' faith, if my brother is for the thing, it *must* be wrong! Which will you stand with, my brother or me?

NICOLLS

Madam, you set my hard head in arms against my soft heart. How shall I resolve the quarrel?

MISS LIVINGSTON

By sending Governor Sloughter to me here, *at once*, before his soft head has quite yielded to the blandishments of Col. Bayard's punch.

NICOLLS

Agreed!

*[Nicolls returns to the inner rooms, and Miss Livingston drops her mask of badinage, showing grave concern. As she walks back and forth in perplexity, she notices the flag. She*

*examines it curiously at first, then with startled understanding of its meaning, deepening into pantomimed alarm. Slaughter appears in the left doorway. He is richly attired, and, without being absolutely tipsy, manifests spirituous elevation.*

## SLOUGHTER

Madam, this is the most exquisite moment of a most delightful occasion—Col. Bayard's charming hospitality crowned by beauty's commands. His Majesty must hear how New York welcomes his new Governor.

## MISS LIVINGSTON

Your Excellency is pleased to flatter our poor Province. But, if you will permit me, there is matter more pressing for his Majesty's hearing.

## SLOUGHTER

*[He goes and takes her hand with effusive gallantry.]*

Miss Livingston has but to speak and I obey.

*[Kissing her hand and continuing to hold it.]*

She will find Henry Slaughter's official armor covers a heart most tender and susceptible.

MISS LIVINGSTON

That is reassuring, for the case is one in which my own feelings are warmly aroused—I mean this appeal of Leisler and Milborne to your King.

SLOUGHTER

Have no fear, Madam! I quite agree with you that never greater rascals lived, and I have just promised your brother they shall be hanged out of hand.

MISS LIVINGSTON

*[Withdrawing her hand.]*

Your Excellency mistakes me. So far from standing with my brother, I believe the execution of these poor men would be a cruel murder for which King William would hold you much to blame. If they were usurpers, what was he?

SLOUGHTER

Odsbud, Madam, this is treason to your King, as well as to your class. And yet, egad, I like your spirit.

*[He pours a glass of punch and drinks it, after she has declined.]*

I'm most extraordinarily fond of spirit, and when it goes with red lips and bright eyes, Gadzooks, I'm less



like to put the traitor in gaol than to stop her mouth some other way.

MISS LIVINGSTON

I would fain persuade you, Sir, that this is a very grave matter—for *you* as well as for these men. They were loyal to your King, and they have many adherents in the Province. You have heard but one side of the story.

SLOUGHTER

*[Starting toward her.]*

Your own fair lips shall whisper the other side in my ear.

MISS LIVINGSTON

*[Offering to flee, then suddenly turning and taking his hands archly.]*

Does your Excellency wish to prove that all your galand speeches mean *me* rather than any woman foolish enough to lend ear to your flattery?

SLOUGHTER

Madam, I am overwhelmed at the prospect of such a privilege.

MISS LIVINGSTON

Then send for Capt. Leisler—now, at once—and let him plead his own cause before you! He has had no chance to be heard by any but his enemies.

SLOUGHTER

Zounds, Madam, ask me anything but that! The Court has given sentence—the Council and Assembly urge its execution.

MISS LIVINGSTON

You have not yet signed the death warrant.

SLOUGHTER

But I have promised to—I am going to—and this boor's reproaches would not move me not to.

MISS LIVINGSTON

I beseech you hear him—for *my* sake, if not for his own.

SLOUGHTER

But, Madam——

MISS LIVINGSTON

*[Flaming away from him.]*

'But, but, but, but, but'—but, Sir, you make *me* your butt when you promise so gallantly, and come so lamely off at the proof!

SLOUGHTER

Indeed, I protest, Madam——

MISS LIVINGSTON

*[Turning her back upon him.]*

Protest me no protests—I will never more believe man!

*[Ingoldsby returns.]*

SLOUGHTER

Egad, Madam, I don't understand why you——

*[Catches sight of Ingoldsby, hesitates, then:]*

Major Ingoldsby, go to the Fort and bring Capt. Leisler to me here under guard—at once, Major!

INGOLDSBY

*[In a panic.]*

I beg your Excellency's pardon, but——

## SLOUGHTER

*[Stamping in anger.*

Not a word, Sir—go!

*[Ingoldsby, with a humble gesture of assent,  
starts for the inner rooms, meaning to warn  
Bayard.*

That is not the way to the Fort—as you came!

*[Ingoldsby rushes out right.*

Now, Madam, will you believe me?

## MISS LIVINGSTON

*[So much elated that she drops diplomacy.*

Governor Slaughter, you make me glad that I appealed from Cæsar sober to Cæsar drunk.

## SLOUGHTER

Drunk only with your beauty, and mad regret that I am no longer free to lay my fortunes at your feet.

## MISS LIVINGSTON

Your fortunes shall be more beholden to my head than to my feet.

*[Pointing.*

Do you see that flag?

SLOUGHTER

In your presence I can see only you.

MISS LIVINGSTON

Let me tell you what this flag means. It is made ready to signal to New York the signing of the death-warrant which Capt. Leisler's enemies make sure you will not refuse them.

SLOUGHTER

I can easier understand their intolerance than your tolerance of this upstart.

MISS LIVINGSTON

I do admire to hear one commissionate by the Prince of Orange prate of upstarts. Listen, Sir Turncoat! A King is a *King*, and when his people depose him the people become King. You served King James yesterday; you serve King William to-day; to-morrow you will serve the King who set James aside for William. Beware, then, Sir, that you offend not in this new world this new King whose herald is the man you are besought to hang!

SLOUGHTER

But, Madam, I am assured that even the common people are not all with Capt. Leisler.

MISS LIVINGSTON

They *lie* who give you such assurance. Did you not have a petition for his reprieve, signed by eighteen hundred of them? And your answer was to send poor Dominie Daillè, who presented it, to prison!

SLOUGHTER

Ah, Madam, Madam, where shall I find a way to show you how much I wish you had been fated to help me govern this Province?

*[Ingoldsby returns with Leisler and a guard of red-coats. Leisler is haggard and ill-dressed.]*

MISS LIVINGSTON

*[Indicating Leisler.]*

You may find it—*here!*

INGOLDSBY

Capt. Leisler, Sir.

*[Going toward the inner rooms.]*

I will await your Excellency's pleasure within.

MISS LIVINGSTON

[*Divining Ingoldsby's intent to warn Bayard,  
and starting toward the outer hall.*

I beseech your Excellency, commission Major Ingoldsby to escort me home.

SLOUGHTER

[*As Ingoldsby hesitates.*

Go, Major! I would the chance were mine.

INGOLDSBY

[*Going with Miss Livingston very reluctantly.*

With pleasure, Madam!

MISS LIVINGSTON

So good of you: Captain Leisler, you have one last chance for your life. Here stands the man who stands for your King. *Make* him realize his responsibility! Good speed—and good night! Your Excellency—remember!

[*Miss Livingston carries off the crestfallen Ingoldsby.*

SLOUGHTER

So, Capt. Leisler, we meet again!

LEISLER

*[Low.*

I humbly thank your Excellency for this privilege.

SLOUGHTER

I have been persuaded to give you a hearing, but it must be brief. You have been tried and found guilty of murder and high treason, and I warn you that my mind is made up to execute the sentence of the Court. You know what that sentence is.

LEISLER

I think so, your Excellency.

*[Slowly, recalling the words.*

I am to be hanged up by the neck—and then—while I am still alive—I am to be cut down and cut open—and my bowels taken out and burnt before my face—and then my head cut off—and my body cut into four pieces—and these pieces scattered as their Majesties shall direct!

SLOUGHTER

Yes, yes, but, of course, you understand that the reference to their Majesties is purely formal.



## LEISLER

Their Majesties can hardly send my members where they have not been already in their Majesties' service.

## SLOUGHTER

Moreover, I am disposed to treat you better than you deserve. I am willing to remit this sentence—*all* of it—except only the hanging and beheading.

## LEISLER

Your Excellency is very good to me.

## SLOUGHTER

I am a merciful man, Capt. Leisler. And now that we have settled these unpleasant details, will you join me in a glass of punch—you look exhausted?

## LEISLER

I thank your Excellency—I have sold wine but never used it.

## SLOUGHTER

*[Helping himself.]*

'Come, come, good wine is a good familiar creature.'

LEISLER

Wine is good for the heart, but not for the head—good for those who listen, not for those who speak—and I wish to speak and you to listen.

SLOUGHTER

Oho, so you are ready to speak now—why did you refuse to speak in court?

LEISLER

*[Very quietly.]*

Because that court had no authority to hear me, and if I had pleaded, the King would accuse me for giving away my right. I could not complain of an act of my own, for by pleading I would have empowered the jury to make them judges of the fact. How can twelve men of one county judge the government of the whole Province? But I speak now to their Majesties' representative.

SLOUGHTER

As their Majesties' representative I appointed the court to try you.

## LEISLER

[*Exploding.*

You had no right to! King William confirmed my claim to govern this Province—King William *alone* has the right to judge how I have done it. I appealed my case to him, and your commission commands you to grant all such appeals. It empowers you to govern, not to judge how *I* have governed. You let yourself be deceived and misled by my enemies in your Council into denying my right to the King's letter, freely given me by the King's own messenger. You let those enemies deceive and mislead you into appointing a court made up by them to try me for crimes they themselves committed. And this court finds me guilty of murder for life lost in Major Ingoldsby's lawless attack upon King William's Fort, held by King William's lawful Governor, and of treason for resisting this attack *two days before you had landed and taken the oath as Governor*. Major Ingoldsby's commission gave him no authority to govern the Province. Until you landed he was subject to my orders, not I to his. If murder was committed, Major Ingoldsby and those who set him on are the murderers; if there has been treason to their Majesties, he and his accomplices are guilty of it—and yet you appoint Major Ingoldsby one of my judges, and let Bayard, Van Cortlandt and Philipse

decide whether I had right to the King's letter which they pretended to themselves! *How* will your Excellency answer it to their Majesties and to God for lending yourself to this infamous conspiracy?

*[Slaughter's arrogant assurance is beaten down, under Leisler's torrential arraignment, to successive uneasiness, alarm, and panic-surrender.]*

SLOUGHTER

But, alas, my dear Capt. Leisler, the matter has gone too far! My Councillors look to me as head of the Government. How shall I answer their expectations unless I carry out the decree of this Court?

LEISLER

By showing them you *are* the head of the Government—not their catspaw!

SLOUGHTER

They shall see I am no man's catspaw. But they assure me your execution is necessary to pacify the red savages.

LEISLER

No, not the *red* savages, but the *white* savages, are to be pacified by my blood!

## SLOUGHTER

This is a most painful predicament for a merciful man.  
Where shall I turn for wise and disinterested counsel?

*[His eye falls upon the punch bowl and he again imbibes.]*

## LEISLER

To the *King*, whose commission you have sworn to obey; to the King, who will commend that you show the mercy he has shown his enemies; to the King, who will *not* forgive that you usurp his authority! Send me to the King for trial—let me meet my enemies before the throne! I have risked my life too often *for* him to fear that he will take it now.

## SLOUGHTER

Capt. Leisler, I *will* send you to the King! Not a hair of your head shall be touched!

*[Takes Leisler's hand.]*

I *am* a merciful man.

## LEISLER

And my son Milborne, and the others my Councillors condemned with me?

## SLOUGHTER

Yes, yes, *all* of you—I wash my hands of the whole matter—not a hair of your heads shall be touched—and if my Councillors don't like it they can go to London, too—I shall be well rid of the whole lot of you.

*[Ingoldsby comes back in haste.]*

## LEISLER .

I thank your Excellency *sehr herzlich*—for myself and all the others.

## SLOUGHTER

*[Catching sight of Ingoldsby, who is trying to reach Bayard unobserved.]*

Major Ingoldsby, make out a reprieve for Capt. Leisler and all the others condemned by your court and bring it to me here—at once!

## INGOLDSBY

But, your Excellency——

## SLOUGHTER

*[Roaring.]*

Do as I tell you—do you hear?

INGOLDSBY

Yes, your Excellency.

*[He darts out left.]*

SLOUGHTER

Now I shall have the whole pack of them down upon me! I heartily wish his Majesty *had* left you in command of this turbulent country—but I don't see how you managed it—without wine.

*[He again resorts to the punch bowl.]*

LEISLER

Does your Excellency wish that I go away now?

SLOUGHTER

No, stay here—I shall need you.

*[Bayard, Philipse, Van Cortlandt, Nicolls, Livingston and Ingoldsby rush in. All are in gala attire and manifestly excited. Bayard carries a document in his hand.]*

BAYARD

We find your Excellency in strange company.

## SLOUGHTER

*[Willing to be offended.]*

If Col. Bayard does not like his Governor's guests, I will relieve him by receiving them elsewhere.

## BAYARD

My poor house is honored by any use your Excellency may be pleased to make of it.

## SLOUGHTER

Capt. Leisler has convinced me that he did not have a fair trial, and I have promised him to refer the whole matter to his Majesty.

*[Sensation.]*

## NICOLLS

Can your Excellency call a trial unfair for which you yourself appointed the judges?

## BAYARD

Your Excellency goes soon to Albany to meet the Mohawks, already in treaty with Canada because of this man's misrule. How will you justify to them such mistaken clemency, or how placate his Majesty if they make you lose the Province to the French?



## SLOUGHTER

It is not the red savages, but the white savages, who are trying to make a catspaw of me.

*[Puts Leisler forward.]*

## LEISLER

Who called a congress of the Colonies and raised an army to fight the French? Who fortified New York and swept the French vessels from this coast? Did you, Col. Bayard, or you, Mr. Nicolls, or you, Herr Van Cortlandt—skulking upholders, every one of you, of King James, the friend of Louis XIV? Who must answer to God and the King for the bloody massacre at Schenectady—I, who tried to defend it, or King James's men at Albany who stayed my hand? So far from demanding my death, the Mohawks know that I alone have saved them from the French!

## BAYARD

Bah, a likely story!

## INGOLDSBY

If your Excellency will permit, my experience with this turbulent people convinces me that the prevention of future riots and insurrections requires the present punishment of those who caused the late outbreak.

LEISLER

So? Then you, Major Ingoldsby, and not I, would dangle from the rope's end.

SLOUGHTER

He has you there, Major!

VAN CORTLANDT

*[Low to Bayard.]*

We must get him away from Leisler.

BAYARD

*[Nods assent and pours a glass of punch.]*

Argument is dry work, gentlemen. Will your Excellency join us in a glass of punch?

SLOUGHTER

No, thank you, I've had quite enough.

BAYARD

May we have the pleasure of your company, Capt. Leisler?

*[Leisler makes a gesture of contemptuous refusal.]*

Well, gentlemen, I trust we are not *all* Puritans?

*[The others, sensing Bayard's plan, crowd about the table with zest and are served with punch by him.]*

INGOLDSBY

No, damme! If I am to be hanged, I will enjoy life while it lasts.

*[Councillors laugh with convivial abandon.]*

LEISLER

*[Low to Sloughter.]*

They mean to trap your Excellency.

SLOUGHTER

I'll not be their catspaw.

BAYARD

*[Rapping on the table.]*

Gentlemen, raise your glasses! I am going to propose a toast we all can drink. Here's long life and a

glorious reign to their gracious Majesties, King William and Queen Mary!

## COUNCIL

To King William and Queen Mary!

## BAYARD

*[Offering a glass to Sloughter.*

Surely your Excellency cannot refuse to honor that toast?

## SLOUGHTER

*[Low to Leisler, who seeks to detain him.*

Egad, I must—willy-nilly.

*[He goes unsteadily to Bayard and takes the glass.*

Just this one cup, then, gentlemen—to their Majesties!

## COUNCIL

*[In triumphant ensemble shout.*

To their Majesties!

*[They gather about Sloughter and drink the toast with him.*

## NICOLLS

*[Holding out his glass to Bayard to be refilled.*

Now, gentlemen, one more, with *me!* Here's to Gov-

ernor Slaughter, the Hercules sent to clean the Augean stables of the Western World! May no womanish qualms arrest a hero's hand!

## SLOUGHTER

*[Seeking to retreat, but prevented, and now rapidly becoming maudlin.]*

Fie, fie, Mist' Nicolls, you do me too much honor! Beshides, your tashk is not to my liking. If I mush be Hercules, I will rather seek the golden apples of the Heshperides.

*[Laughter and applause.]*

## PHILIPSE

*[Low.]*

The golden apples are within your grasp—once the sterner task is done.

## COUNCIL

*[As Bayard fills their glasses, after serving Slaughter.]*

The toast, the toast! Your Excellency, the toast!

## SLOUGHTER

Zounds, gen'men, my head is whirling round an' round with your toasts, an' my poor legs simply 'fuse to carry any more toasts.

VAN CORTLANDT

A chair for his Excellency!

*[Bayard deftly places a chair beside the table,  
and Van Cortlandt gently forces Sloughter  
into it.]*

NICOLLS

Now, then—to his Excellency!

COUNCIL

To his Excellency!

*[All drink except Sloughter, who sets his glass  
upon the table.]*

BAYARD

*[Placing the glass again in Sloughter's hand.]*

Nay, nay, your Excellency must keep us company!

SLOUGHTER

Thasso, I cry you mercy, gen'men!

*[Drinks.]*

Mus' 'cep' my gra'ful thanks, gen'men, till I can show  
you in more s'tantial way how mush I am toused by  
your noble loyalty.

BAYARD

*[Placing the document on the table.]*

Your Excellency's signature to this document will do just that—and make you the most popular Governor ever sent to rule New York.

SLOUGHTER

*[Trying to scan the paper magisterially.]*

Wha's this, wha's this, Colonel Bayard?

BAYARD

A warrant for the execution of the condemned traitors, Leisler and Milborne!

*[During the toast scene Leisler has remained with folded arms and stern self-control. He now takes a step toward Sloughter, and cries out in warning and appeal:]*

LEISLER

Remember your promise: 'Not a hair of our heads shall be touched!'

SLOUGHTER

*[Pushing the document aside.]*

Thasso, gen'men, thasso—given my promish—not a hair of their heads.

## LIVINGSTON

But you gave *me* your promise—not an hour ago—you would sign this warrant.

## SLOUGHTER

Tha's ri', Mist' Livingston, tha's ri', but tha's *catch-paw* promish, an' I'm mushiful man.

## BAYARD

Then, I pray you, have mercy on the best people of this Province, who for two years have suffered insult, tyranny and imprisonment at the hands of this usurper! Is it not so, gentlemen?

## COUNCIL

Aye, aye!

*[They crowd about Sloughter.]*

## NICOLLS

The Court has decreed his death.

## PHILIPSE

The Council has approved it.



## LIVINGSTON

The Assembly confirms it.

## VAN CORTLANDT

Dominie Selyns and the other ministers cry out to God from their pulpits against Leisler's tyranny, and demand that you make an example of him.

## BAYARD

Tender-hearted ladies, who have tears for highway-men and housebreakers, breathe only vengeance toward this man.

## INGOLDSBY

God's blood, Governor, it's only his own kind, the rabble, that upholds this villain!

## LEISLER

'The rabble, the rabble, the rabble!' And has 'the rabble' no rights? Who upheld King Henry at Agincourt, Queen Elizabeth against the Spanish Armada, and our own William at Boyne Water? The rabble! Who settled this Western wilderness and bared their breasts to the arrow and the bullet to defend it? The rabble! Was it the 'best people of this Province,' with their commissions and their land grants from King

James, with their 'tender-hearted ladies' and their truckling pulpit echoes, who hailed the coming of William with joy and made me hasten to proclaim him King? No, it was the rabble! Ach, you Jacobites and popishly-affected aristocrats, this is your hour! You can spurn the petitions of the rabble, and you can hang me, but, so sure as God reigns, the day is coming when the people you now despise will require my blood at your hands! For *they* are the people who are to rule this country!

*[The Councillors exchange glances of delight, but groan in pretended protest.]*

BAYARD

Your Excellency can now see with what strange doctrines this man has debauched and poisoned the people.

SLOUGHTER

'Plorable, 'plorable! I'm mushiful man, but mush punish those who debauch and poishon people.

LEISLER

*[Pointing to the punch bowl.]*

Then, Sir, let your first vengeance fall upon those who have debauched and poisoned *you*!

## COUNCIL

*[In pumped-up indignation.*

Ah-h-h-h-h-h!

## SLOUGHTER

*[Pulling the warrant toward him.*

Cap'n Leisler, are you 'ware you are 'dressing Governor of thish Provinch?

## VAN CORTLANDT

*[Low to Bayard.*

Bring pen and ink—quick!

*[Bayard goes on this errand.*

## LEISLER

No, not the Governor, but the drunken catspaw of these conspirators!

## SLOUGHTER

*[Holding up two fingers.*

Now, look here, Cap'n Leisler—it's thish way!

*[Pointing to one finger.*

If Governor of thish Provinch ish mushiful man an' gives *you* hish promish,

*[Pointing to the other finger.*

why shou'n he be mushiful to Henry Sloughter, too, and give *him* glash punch?

PHILIPSE

*[In Sloughter's ear.*

And why shouldn't he remember that the day these villains are hanged Henry Sloughter and his lady will own the stateliest mansion in New York?

SLOUGHTER

*[Rousing.*

Eh? Wha's tha'?

*[Philipse whispers, and Sloughter nods comprehension. Bayard returns with a quill-pen and ink.*

VAN CORTLANDT

*[Dips the pen in the ink and puts it in Sloughter's hand.*

Sign there, your Excellency!

BAYARD

*[Low to Sloughter.*

Lady Sloughter bids me to tell you that if you love her you will sign this warrant.

*[He goes to the window, and opens it, ready to run out the flag.*

## SLOUGHTER

[*To Leisler, resentfully.*

Go'n' *keep* my promish—no man's catchpaw!

## INGOLDSBY

[*To Leisler, as he tries to approach Sloughter.*

Back, Sir!

[*He signals guards, who drag Leisler back.*

## LEISLER

So? Did you *keep* the promises you made me when I surrendered the Fort to you?

## COUNCIL

[*All point to document.*

Sign there!

[*Van Cortlandt holds a candle so that Sloughter can see to write.*

## SLOUGHTER

[*In delirium.*

Go'n' *keep* my catchpaw—no man's promish!

## COUNCIL

[*In relentless iteration.*

Sign there!

[*Slougher signs the warrant and tumbles from his chair to the floor in unaided stupor. Leisler towers above him in measureless contempt. Bayard runs out the flag, and the Councillors raise a wild shout of triumph. The scene is suddenly darkened, change to the next being made to the accompaniment of weird and whirling music.*

\* \* \* \* \*

*The living-room of Leisler's farmhouse (which stood on the site of the present Sun Building, City Hall Park), before daylight, May 16, 1691. It is a low-studded, plainly-furnished apartment, somber in effect, a door at the left leading to other rooms and another at the back giving without, the latter divided in the middle and flanked by wide low windows on either side. There is also a window at the right. Near you, on the right, is a large wing chair beside a small table, and on the left is a child's cradle. In one corner is the spare four-poster with high-piled feather-bed and gay tester and valance. There are bed-steps beside it.*

*While it is yet dark, and before the music dies away, sounds of a storm are heard, the rumble of thunder and dashes of rain against the windows. Then, out of the gloom, comes the voice of Frau Leisler: 'Ah, God, ah, dear God, is there no help?' A faint beam of ghastly light breaks through the window at the right, disclosing Frau Leisler seated in the wing chair, and Miss Livingston at her side, seeking to comfort her. Both wear wraps, having just arrived. Francina is asleep in the cradle.*

## MISS LIVINGSTON

Dear Frau Leisler, you must be strong—for your husband's sake.

## FRAU LEISLER

*[Rocking to and fro.*

Ah, Jacob, Jacob, my Jacob!

*[Mary comes from the left, carrying lighted candles, which she places on the table. She also wears a wrap and hood.*

## MARY

You will have more comfort with your wraps off, mother.

*[Miss Livingston removes Frau Leisler's wraps.*

FRAU LEISLER

'Comfort! Comfort!' No comfort more in this world for me!

MARY

Mother, mother, we must not waken Francina!  
[*She goes to the cradle.*]

FRAU LEISLER

'Francina, Francina!' Ah, Jacob, he don't care for anybody but Francina.

[*Showing her wedding ring.*]

There was a time—when he put this ring on my finger—worn so thin and small now—when he loved me, my Jacob.

MARY

Mother! He loves us all—but Francina is his baby!  
[*A bell begins to toll.*]

FRAU LEISLER

Why is that bell?

MISS LIVINGSTON

The procession is on its way from the Fort.



FRAU LEISLER

They are going to hang my Jacob—I shall never more see him alive.

MISS LIVINGSTON

You shall! You shall! I have Col. Bayard's promise. That is why we are here.

*[The bell tolls.]*

FRAU LEISLER

Bloody and cruel villains, to hang my Jacob on his own land—beside his own farmhouse!

MARY

Peace, mother, peace! My heart is breaking, too.

FRAU LEISLER

And they build their scaffold—some one told me—from the timbers my Jacob put on the Fort to turn away the French!

MARY

What does it matter?

FRAU LEISLER

But they had to send out of town for a ladder—no city carpenter would lend them one.

[*Bell.*

Ah, that awful bell! Where is Cobus? Why is he not here to be with me?

MARY

[*Low.*

Shall I tell her?

MISS LIVINGSTON

Yes, it can do no harm.

MARY

Mother, Cobus had a letter from Captain Blagge, saying it is reported in London that the King hath sent his reprieve for all condemned in the trials, and he has gone to Yonkers to try to have Governor Sloughter stop the execution.

FRAU LEISLER

God be thanked! My Cobus will save him.

MISS LIVINGSTON

We *hope* so, but the Governor has been spirited away by your husband's enemies, and it will be difficult to reach him—even if he is in a state to act.

[*The bell tolls again, and the low rattle of a drum is heard, growing louder, and augmented by cries of the crowd, groans mingled with execrations.*]

FRAU LEISLER

He is coming! My Jacob is coming!

[*She springs from her chair and rushes to the window at the right. Miss Livingston and Mary remove their wraps and support her. Men and women spectators appear at the rear door and windows, which they throw open, and from which they eagerly watch the subsequent proceedings. The tumult without increases, and then suddenly stops as the rear door admits Col. Bayard, Père Millet and Leisler, the last-named bound, guarded by a file of soldiers, and supported by Père Millet.*]

BAYARD

Unbind him!

[*The soldiers unbind Leisler.*]

FRAU LEISLER

[*Throwing herself into his arms.*]

Jacob, my Jacob—they are going to hang my Jacob!

LEISLER

Ya, Elsie, the King I have worked for, and paid for, and fought for, is going to give me my reward.

FRAU LEISLER

Where is Jacob Milborne?

LEISLER

Jacob will have none of our farewells. He awaits me at the scaffold.

FRAU LEISLER

*[Beating upon his breast.]*

No, Jacob, no! Listen to me! There is a hope! The King has sent his reprieve—Cobus has gone to see the Governor.

BAYARD

*[Whirling savagely.]*

Where got you such lying report, Madam?

MISS LIVINGSTON

It comes from Captain Blagge in London, Col. Bayard.

BAYARD

*[Violently.]*

It is false, *false*, I tell you! The King has sent no reprieve, and you but delude these poor people to say so.

PÈRE MILLET

I you beg, Monsieur, in name of that One who die so men do live, that you arrest this execution cruel until what time we know the verity of this report.

BAYARD

*[Regaining control of himself.]*

Useless, father—it would but prolong a painful scene. If Governor Slougher had received such reprieve, who would know it sooner than I?

MARY

But will you not wait until my brother has seen the Governor?

BAYARD

No, Madam! You must make your farewells at once. Your brother will not *see* the Governor——

*[Correcting himself.]*

That is, the Governor has no excuse to interfere, since the King has not interfered.

FRAU LEISLER

I *hate* him, that cruel King!

LEISLER

Nein, Elsie, nein—not cruel, but *very far away*, and too much occupied with great affairs to take care for this poor Province of New York. But maybe, now that my work for him is done, he will remember my name.

PÈRE MILLET

Si, si, mon ami, and the day will come when the people of New York will remember it, too.

FRAU LEISLER

Jacob, don't say your work is done! Cobus will save you yet.

LEISLER

I have made my peace with God and have no hope from man. But there is a work for Cobus. [*Giving her medal taken from his neck*] Give him this medal! It bears the head of that great friend of liberty, Lord Shaftesbury, and on it I have cut some words: [*Reading*] 'Remember well and baer in mynd a faethful

REMEMBER WELL AND BAER IN MYND



REMEMBER WELL AND BAER IN MYND  
A FAETHFUL FRIND IS HARD TO FEIND.

*(The above is the legend cut on the rim of the medal by Leisler himself whilst in prison.)*





frind is hard to feind.' Tell Cobus he shall never rest more in this world until King William knows I have been that faithful friend to him!

FRAU LEISLER

Jacob, you are so cold, and wet to the skin.

LEISLER

Ah, that is nothing.

FRAU LEISLER

May God's curse fall upon those who bring you to this!

LEISLER

Say not so, Elsie! I wish in the grave I am so soon to fill may be buried also the hatreds and jealousies I have caused. My enemies have brought my body to shame, but I hope they will not despise my family for that. I ask their forgiveness for the mistakes I have made through rashness, haste and anger, and, it may be, because I did not know what was in their hearts.

[*To Miss Livingston.*]

Tell your brother that for me!

MISS LIVINGSTON

I pray you, Sir, count me not among your enemies! I am a Jacobite—ten thousand times a Jacobite, when

I see how your King deserts those who have served him so faithfully.

LEISLER

*[Going to Miss Livingston and taking both her hands.]*

Ah, Madam, my King does not *know*, and when he knows it will be too late. But I wish *you* to know that old Jacob Leisler thanks you from the bottom of his heart for all your kindness to him and to those he loves. [*Low*] Cobus has told me—I am glad. [*Miss Livingston turns away to hide her emotion.*

*[The bell tolls.]*

BAYARD

You must hasten your leave-taking—we have business elsewhere.

MARY

*[To Miss Livingston.]*

Oh, will Cobus *never* come!

LEISLER

*[Going to Père Millet.]*

Mon ami, you have been my friend when you were my prisoner, and you have been my comforter when I myself was prisoner. Now I ask you to stay here and comfort those I must leave behind. [*The priest*

*mutely assents. Leisler turns to Mary, who throws herself sobbing into his arms]* My little Mary, my little Captain Mary—so brave to help her old vater when he needed help—she is going to be brave always to help her mutter and hand down her vater's good name to those who come after her.

*[Mary sinks to her knees before him, and he places his hands upon her head in benediction. Then he turns to Frau Leisler, holding her some moments in silent embrace, finally signalling Miss Livingston, who gently reseats her in the chair. Leisler goes slowly to the cradle, and, kneeling beside it, takes the hand of the sleeping child, and, kissing it fondly, looks long and fixedly into her face, then suddenly buries his face in the coverlet, sobbing:*  
My baby, my baby Francina!

*[The bell tolls, and Bayard taps Leisler on the shoulder.*

BAYARD

Come, Sir!

LEISLER

*[Kissing the child gently on the forehead and rising.*

I am ready.

BAYARD

Bind him!

*[The soldiers crowd roughly about Leisler and bind his arms behind him, while the crowd at the rear windows begins a murmur of protest, which rises into a tumult.]*

BAYARD

March!

LEISLER

*[Turns commandingly at exit, and makes himself heard above the uproar.]*

Listen to me—everybody!

*[The uproar suddenly ceases.]*

I declare before God and the world that what I have done was for King William and Queen Mary, for the defence of the Protestant religion and the good of New York.

*[Bell. Père Millet goes to Leisler, and holds up the crucifix before him appealingly, but Leisler slowly shakes his head.]*

Non, non, non, mon ami, I am not convert to the religion you profess, but to the religion you *live*!

PÈRE MILLET

Then you will accept the blessing of the man—if not of the priest?

---

*[Leisler bows his head, and Père Millet extends his hands in benediction. Frau Leisler throws herself upon her knees. Darkness suddenly falls, and the tumult recommences, continuing until this symbolic tableau is seen:]*

*Frau Leisler is seated in the wing-chair, with Francina clasped in her left arm comforting her, her other hand holding out the medal to Cobus, booted and spurred as from riding, kneeling on her right, his hands extended to take it. Miss Livingston stands beside the chair just back of him, and Père Millet, his hands outstretched in blessing, is on the extreme left, a little back of Cobus. Mary and Gouverneur are together, on Frau Leisler's left. All look at Cobus, in sympathy with his expression of exalted self-consecration to the charge laid upon him by his father's message and memento. The sombre lighting has given place to morning sunlight.*

## EPILOGUE

*Shakespeare says 'a good play needs no epilogue,' but, as he says so in the epilogue to a good play, his humblest disciple, doubting not all help is needed, ventures to detain the patient reader for a last word or two, even though the beholder be bolted.*

*Its scene shall be the Dutch garden of the Van Cortlandt mansion, late in an autumn afternoon of 1695. It shows a corner of the garden formed by the intersection of the rear of the house with the garden wall, the former extending obliquely toward your left, the latter to the right. In this wall is a stile with steps crossing over it, and leading from the house is a door with stoop. Nearer you on the left is a rose-bowered seat; opposite is a fountain, and between them a sun-dial. In the angle of the house and wall is a statue set in a topiary niche of box. Much of the space is taken up by flower beds in geometrical shapes with low borders of trimmed box intersected by narrow curving walks, presenting a blaze of rich and harmonious coloring. Over the garden wall are seen the quaint gables of little old New York. Shutting off the view of the remainder of the garden at the right are locust trees.*

*Miss Livingston is seated in the rose bower with a lute, singing to its accompaniment, 'When the King Enjoys His Own Again':*

## MISS LIVINGSTON

'Though for a time you may see Whitehall with cob-webs hanging over the wall,  
Instead of silk and silver brave, as formerly it used to have,  
And in every room the sweet perfume, delightful for that princely train;  
The which you shall see when the time it shall be  
That the King comes home in peace again.'

*[Mary comes to the top of the stile, pausing there a moment to listen to the song, then steals down the steps and around the walk to the bower, where she suddenly claps her hand upon Miss Livingston's shoulder, and, with a roguish assumption of masculine voice and military brusqueness, exclaims:*

## MARY

Ahem! Ahem! Madam, I arrest you in the name of King William for treasonable utterance.

MISS LIVINGSTON

*[Embracing her.]*

Child, indeed you did startle me. I thought Governor Fletcher had sent one of his pirate crew to hale me off to a ship's hold in chains.

MARY

Surely Councillor Van Cortlandt's roof would protect you?

MISS LIVINGSTON

Perhaps, but Governor Fletcher likes my plain speech as little as he doth that of your father's Councillors, whom he kept so long in gaol.

MARY

Alackaday, how could a wise King choose such a scurvy Governor?

MISS LIVINGSTON

'Like master like man!' With whom should a pirate King's Governor associate if not with pirates?

MARY

Think you truly, Madam, Governor Fletcher hath commerce with such?



MISS LIVINGSTON

Child, it is notorious! How else should he keep the goldsmiths busy making him snuff-boxes? Why, but yestreen I saw him out driving with that high-handed sea-robber Tew, and Brother Van Cortlandt tells me he had to meet this agreeable cut-throat at his table, and was assured by his Excellency that Tew is 'a most companionable fellow,' and that he has it in his heart to convert him from the error of his ways. Faugh!

MARY

If the King but knew!

MISS LIVINGSTON

Know? None knows better. 'Set a rogue to catch a rogue!' My brother writes me from London how he hath convinced the Lords of Trade of the vast sums due him from the Province which Fletcher hath diverted to his own use, and how he hath secured from your pirate King a commission for that bold and honest man, Captain Kidd, to sweep all pirates from these shores.

MARY

Fie, oh, fie, I had clean forgot what I came hot-foot to tell you! A letter from Cobus in London saith he

has at last prevailed to clear our father's memory, and that he is taking the next ship home.

MISS LIVINGSTON

[*Embracing Mary anew.*

Child, child, this is news, indeed! Come and tell me all about it!

MARY

I am so happy—it seems out of credence after these five long years of waiting and disappointment.

MISS LIVINGSTON

The Parliament hath reversed your father's attainder?

MARY

The Parliament, yes—but it was the King who made them do it. Oh, he is *so good*, King William!

MISS LIVINGSTON

You are the first to make the discovery. But I suppose even pirates have their moments of penitence. And so your brother is coming home—does Master Gouverneur accompany him?

MARY

I think so, Madam.

MISS LIVINGSTON

I *hope* so, Mary Milborne. I trow he hath waited quite long enough.

*[Sound of distant cheering and tumult.]*

Hark! Does that mean the French are coming down the river to attack us—or that his Excellency is on parade in his new coach?

MARY

Is it his hour?

*[Going to the sun-dial.]*

What saith the dial? No, Madam, it is too early for the Governor.

MISS LIVINGSTON

Oh, well, then, it is only the French, so come and tell me more of your brother's news!

*[Joost Stoll comes in haste to the top of the stile.]*

STOLL

*[Calling.]*

Madam Milborne, Madam! There is great news from your husband, Madam.

MARY

*[Startled.]*

Why, Joost Stoll, you know my husband has been dead these five years.

MISS LIVINGSTON

Enter, Master Stoll, and give us your news!

*[Stoll pauses upon the stile, as if gravely deliberating, then solemnly and very slowly descends the steps to the walk, where he pauses anew, lost in thought.]*

MISS LIVINGSTON

Make haste, my good man—we are waiting for your message.

*[Stoll comes around the walk with exasperating deliberation, and the manner of one overburdened by what he has to say. Reaching the ladies, he makes them a stiff military salute, then stands silently at attention.]*

MISS LIVINGSTON

Well, Sirrah, what is it?

MARY

Good Joost, you spoke of Mr. Milborne?

STOLL

When I was in London——

*[Pause.]*

MISS LIVINGSTON

Yes, yes—go on!

MARY

When you were in London——?

STOLL

When I was in London—I saw the King—and the King saw *me*.

MISS LIVINGSTON

But what came of it?

MARY

What had that to do with Mr. Milborne?

STOLL

I am coming to that. When I was in London the King saw me, and now comes news of what the Province of New York owes to Joost Stoll.

MISS LIVINGSTON

*What* news?

MARY

Oh, Joost, you are *so* tedious!

STOLL

*[Wheels and starts away in dudgeon.*

Very well, then, if you care not to hear the message  
I was sent to excommunicate——

*[They pursue and bring him back.*

MISS LIVINGSTON

Now, Sirrah—your message!

MARY

Yes, Joost, what is it?

*[There is louder cheering without.*

STOLL

Do you hear those huzzays?

MISS LIVINGSTON

What do they mean?

STOLL

They mean that Joost Stoll has prevailed at last,  
and——

*[Pauses anew.*

MISS LIVINGSTON

And?

MARY

Go on!

STOLL

[*To Mary, with uncorked fluency.*

And that your brother, Madam, and [*to Miss Livingston*] your brother, too, Madam, to say nothing of Master Abraham Gouverneur, have all just arrived from London in the ship *Catharine*, looking mighty fine, and bringing news that the King and Parliament [*to Mary*] have restored your father and husband *everything*—except their lives—and [*to Miss Livingston*] that your brother, Madam, hath preponderated Governor Fletcher and is to have his old office again.

MARY

[*Throwing herself into Miss Livingston's arms.*

Oh, I am so happy I think I must weep!

MISS LIVINGSTON

Nay, child, you must not meet Master Gouverneur with your nose-cloth—he is too vain already. [*To Stoll*] Where are these returners?

## STOLL

Your brother, Madam, is within with Herr Van Cortlandt, while the others have gone to seek [*indicating Mary*] Madam, here.

## MISS LIVINGSTON

Fie, Sirrah, you should have told us that sooner! Go at once and send Master Leisler and Master Gouverneur here!

*[Stoll salutes and marches rapidly back to the stile. There is renewed cheering and clamor just outside.]*

## MISS LIVINGSTON

They are coming now, I think. Stay you here and meet them—I must in and greet my brother.

*[Miss Livingston flies into the house. Behind the garden wall comes a crowd of men and women with joyous exclamations: ‘Huzzay for King William!’ ‘Huzzay for Jacob Leisler!’ ‘A good son to clear his father’s name!’ ‘A chip of the old block, say I,’ etc.]*



## STOLL

*[Beckoning from top of stile.]*

This way, Master Leisler! This way, Master Gouverneur! Madame Milborne is here!

*[To crowd.]*

Peace, good fellows! Good friends, peace! I, Ensign Joost Stoll, that Captain-General Leisler sent to London, rejoice with you over this great victory I set on foot, but you must go away now and let Master Leisler greet his sister. When I was in London——

## FRAU STOLL

*[Calling imperiously without.]*

Joost Stoll!

## STOLL

Ja, ja, Elishamet!

## FRAU STOLL

You come home *right now* and take care of the children while I 'tend bar!

## STOLL

Ja, ja, Elishamet!

*[Stoll vanishes, jeered by the crowd, which then disperses. Upon the stile appear Cobus and*

*Gouverneur, both very smart in dress. They wave their greetings and come to Mary, Cobus embracing her.*

MARY

Have you seen mother?

COBUS

Yes, for a moment—she told me you were here. Is she not radiant, this little sister?

GOUVERNEUR

I—I—she seems—that is—but I have no right to express any opinion as to Madam Milborne's appearance.

MARY

[*Going to Gouverneur, both hands extended.*  
'Madam Milborne,' forsooth! Abra'm, I am ashamed of you. If I *am* radiant it is because I am so happy to see you—both.

COBUS

You have heard the great news?

MARY

Yes, oh yes, and I *so* want to thank somebody—and the King isn't here.

COBUS

Then thank Mr. Livingston, who moved my Lord Bellomont to bring us to the King.

MARY

Mr. Livingston! Is it possible?

COBUS

Mr. Livingston is too great a man, and too dispassionate, to let ancient feuds interfere with present justice.

GOUVERNEUR

Or present interest!

COBUS

Nay, Abra'm, let us have done with the quarrels of yesterday, and go on to a glorious to-morrow! [*To Mary*] You must thank Abra'm, too, who hath fought with me for much more than the reversal of his own attainder.

GOUVERNEUR

Nay, Madam, while my life lasts it is honor enough that the King and his Parliament should have linked my name with that of your revered father.

MARY

Oh, modest, modest, Abra'm! And Miss Livingston, who was here but a moment ago, told me you were a vain man.

COBUS

Miss Livingston—where is she now?

MARY

She went within to greet her brother—you'll find her there.

GOUVERNEUR

Yes, Cobus—*there!*

COBUS

I shall tell Miss Livingston how modest you are—both of you!

*[Cobus enters the house. Mary and Gouverneur stand and look at each other during some moments of embarrassed silence.]*

MARY

Now *what* do you suppose he meant by that?

GOUVERNEUR

I—haven't—the—least—idea.

MARY

*[In desperation, after another long pause.*

You are much changed since last we met, Abra'm.  
And I am too, am I not?

GOUVERNEUR

I hope not, Madam, with all my soul.

MARY

Why?

GOUVERNEUR

Because I thought—you said once, you know—that  
you would always—I am quite sure you said *always*—  
and I have so often wondered during these long  
years——

MARY

Yes, Abra'm?

GOUVERNEUR

So often wondered——

*[Noting the sun-dial and moving toward it.*

What's o'clock?

MARY

*[Also going to the dial.*

The dial is like you, Abra'm, it takes no longer note  
of time.

GOUVERNEUR

If, indeed, this hour might last forever!

MARY

I think it must, in sooth, if it waits upon your utterance. Shall *I* say it?

GOUVERNEUR

Ah, Mary, you broke my heart once—surely you will not again?

MARY

Abra'm, my father always loved you dearly—but not so dearly as I have—'*always*.'

GOUVERNEUR

[*Taking her into his arms.*

He left you once in my care, and since then I have cared only to make that trust perpetual.

MARY

I don't see any *grave* reason why you shouldn't.

[*He kisses her.*

Now, tell me of all the brave doings in London!

LIVINGSTON

*[Within the house.]*

You see, Van Cortlandt, it was this way.

MARY

Here comes a council of State, but I know a sweet little nook at the bottom of the garden where we shall not interrupt it. This way, Abra'm!

*[Mary dances off to the right, followed by Gouverneur. Van Cortlandt and Livingston come from the house.]*

VAN CORTLANDT

To tell you the truth, brother, these changes of court policy make us poor provincials a bit dizzy. I don't understand why the King should have lent ear to this Leisler outcry, and even less why *you* should have encouraged it.

LIVINGSTON

Stephanus, if I have made some advancement it has been by reaching inevitable conclusions a little sooner than anybody else.

VAN CORTLANDT

You mean?

LIVINGSTON

*[Throwing himself into the bower seat and stretching out his legs.]*

I mean that, while the King and I are alike in not allowing sentiment to interfere with interest, I have the advantage of his Majesty in not delaying a wise thing because it bears color of generosity. Besides, I have some natural temper—but no asthma.

VAN CORTLANDT

Then this act reversing the attainder was inevitable?

LIVINGSTON

Absolutely! There was much pressure from both Massachusetts and Holland, and Bellomont, who has the King's ear, had taken the matter up, declaring the men were 'barbarously murdered.'

VAN CORTLANDT

Why should he?

LIVINGSTON

Because he is a hot-headed democrat with a fancy to rule these provinces himself, and Fletcher's hostility to the Leisler party was his cue.



VAN CORTLANDT

Oho, I see—and yours, also!

LIVINGSTON

Exactly, for if my charges against Fletcher helped young Leisler's case, his testimony manfully aided mine. Besides, my sister made point of it—she has always had a whim for these Leislars.

VAN CORTLANDT

Think you Lord Bellomont would favor the Leisler adherents should he become Governor?

LIVINGSTON

Assuredly. He has already pledged young Leisler restitution of his estates and the monies expended by his father, as well as a reburial in state of the bodies of his father and brother-in-law.

VAN CORTLANDT

But you truly have Fletcher on the hip?

LIVINGSTON

I should not be here else. The Lords of Trade order him to pay my claims against the Province in full, and,

besides, send me back as Commissioner Agent for the Indians at a fat salary.

VAN CORTLANDT

He will fight that.

LIVINGSTON

He will have fighting enough to clear his skirts of complicity with the pirates. My Lord Bellomont is minded to press that charge, and hath joined with me in moving the King to commission Captain Kidd against them.

VAN CORTLANDT

*[Goes to Livingston and speaks low.]*

But, brother, that is a delicate matter. There are persons of importance here who would be gravely concerned.

LIVINGSTON

Who, pray?

VAN CORTLANDT

Well, for one——

*[Stoops and whispers in Livingston's ear.]*

LIVINGSTON

Astounding! I thought he had more prudence. We must warn him of his danger at once. Where can he be found?

## VAN CORTLANDT

I think he is at home now—and there are others who should know.

*[Van Cortlandt and Livingston go away by the stile in earnest consultation.]*

## MISS LIVINGSTON

*[Heard without.]*

King William go hang! I've no patience with pirates—in England or New York.

*[Miss Livingston and Cobus come from the house.]*

## MISS LIVINGSTON

*[As Cobus tries to walk beside her.]*

Don't invade Madam Van Cortlandt's aster-bed—as you hope for tuzzi-muzzies hereafter!

## COBUS

I beg Madam Van Cortlandt's pardon—as I do yours for venturing to suggest that the consideration shown by his Majesty to some of those lately opposed to him should at least lighten Miss Livingston's disfavor.

MISS LIVINGSTON

Oh, I am not so easily bought as my brother seems to have been. Pray, what has this usurper done for you? Has he given you back your father's life? Do you think if you and yours had been as faithful to King James as you were to this interloper, *he* would have suffered your father to be put to death?

COBUS

My King has done what he could to repair the wrongs committed in his name. And when I knelt before him and showed him this medal [*suspended about his neck*], he told me, with tears in his eyes, how deeply he appreciated my father's devotion, and how his anger was kindled against those who kept the knowledge of it from him.

MISS LIVINGSTON

Words, words, words! It is long since William the Silent.

COBUS

My heart is too full of gratitude to the King, to all who have helped me, to dwell upon ancient errors. Even some of my father's enemies have been my friends—your brother most of all.

MISS LIVINGSTON

My brother had his reasons, doubtless.

COBUS

Yes, the King himself told me Mr. Livingston did what he did at the intercession of one near to him.

MISS LIVINGSTON

Then your King lied—I never lifted a finger to help you.

COBUS

Aha, Madam, you betray yourself! Who accused *you* of helping me?

MISS LIVINGSTON

*You* did.

COBUS

Nay, I said not so, but I believe it—and thank God very fervently that I can.

MISS LIVINGSTON

[*Seating herself in the bower.*  
And why, pray?

COBUS

If Major Milborne were living he might answer you.

MISS LIVINGSTON

Oh, you think because I gave you some *feigned* tolerance to spite Brother Barebones I must needs have been plotting in your behalf ever since? Master Cobus, I think truly your success at William's court hath turned your head.

COBUS

Madam, *I* am no weathercock. I loved you five years ago, and I love you to-day, in spite of our differences in station and allegiance, in spite of all the bitter things it has pleased you to say to me, and I even dare to hope that, if I might stand before you simply as a man pleading for the woman he loves, I might not plead in vain.

MISS LIVINGSTON

Do you think a true daughter of Scotland can ever forget that she comes from the land of the Stuarts, that it was your Dutch King who drove them from their own, and that your father and you both did what you could to perpetuate this infamy?

## COBUS

Ah, what have *we* to do with kings and their quarrels in this new land? The great ocean rolls between us and their dissensions—shall it not also shut us off from all the false and trivial distinctions of rank and precedence, from entailed honor and estate, from sycophant courtiers pandering to dissolute kings? God has given this new world to a new race of men and women, men and women whose first allegiance is to *Him*—one bright land of liberty, hope and opportunity for *all*, a paradise to which fallen man may return, a haven of refuge for the oppressed so long as centuries roll!

## MISS LIVINGSTON

Is this poetry or revolution, Master Cobus?

## COBUS

Both—for it prefigures the America that is to be. My father paid his penalty for trying to be loyal to both the old order and the new, and *I* should be unworthy to bear his name could I not also bear with fortitude the condemnation and contempt you visit upon him and upon me.

MISS LIVINGSTON

*[Picks up her lute and sings very softly and tantalizingly:]*

‘The man in the moon may wear out his shoone in running after Charles his wain;  
But all to no end, for the times they will mend when the King comes home in peace again.’

COBUS

So, I have my answer!

*[He turns sadly away, and goes slowly around the walk to the stile, on top of which he pauses to take a last look at his tormentress. She has been watching him slyly around the corner of the bower seat, meanwhile humming the air she had been singing. At the moment when he turns, she springs to her feet and, suddenly changing the air to ‘Lilliburlero,’ sings gayly up to him:]*

MISS LIVINGSTON

‘Ho, Broder Teague, dost hear de decree? Lilliburlero bullen a la,  
Dat we shall have a new deutee? Lilliburlero bullen a la.’



*[After an instant of bewilderment, merging into rapturous recognition of her meaning, Cobus leaps recklessly from the stile into the flower-bed, and, bounding to her side, clasps her in his arms.]*

MISS LIVINGSTON

*[Between his kisses.]*

Alas—how shall I placate—Madam Van Cortlandt—for the wreck—you have made of her asters?

COBUS

Tell her—it was all the fault of—King James!

MISS LIVINGSTON

That is not—the authorized—King James version.

## NOTES

Governor Sloughter died suddenly, a few weeks after the execution of Leisler and Milborne, and was buried beside Peter Stuyvesant, St. Mark's-in-the-Bowery. At the plea of Jacob Leisler, Jr., and Abraham Gouverneur, backed by the Earl of Bellomont and Robert Livingston (who, for reasons of his own, had changed over to the Leisler side), Parliament in 1695 passed a bill which, receiving King William's assent, reversed the attainder of Leisler, Milborne and Gouverneur. It declared that the King's letter of July 30, 1689, had confirmed Leisler in the command given him by the New York General Assembly, that he was justified in refusing to deliver the fort to Ingoldsby and had surrendered it in due season to Sloughter. When Bellomont became Governor of New York in 1698, the bodies of Leisler and Milborne were disinterred from their first burial place in the rear of the present Tribune Building, and reburied in the Dutch Church in Garden street (now Exchange Place) with imposing funeral honors. The Leisler party having come into power, Col. Bayard was condemned for treason, but escaped execution by the death of King

William in 1702. In 1699 Abraham Gouverneur married Mary Milborne, and was elected to the New York Assembly, of which he became Speaker in 1701. 'And from their happy union,' writes E. S. Brooks, 'sprang a line of worthy American men and women who have kept green the memory of that first of American patriots to whom they can proudly trace their ancestral line and whose names have been counted among the honored ones of the city that has grown so strong and mighty since those far-off days of two centuries back.'

---

It is a singular fact that New York City, amid its multiplicity of fearful and wonderful statues to exotic celebrities, had not, for the 220 years preceding Sunday, April 23, 1911, a memorial of any sort to the man who here, for the first time in American history, governed a colony by the election of its own people, who here assembled the first American congress, who here was executed for 'treason' to a King whose superloyal adherent he had been for two years of soul-racking struggle, a King who all-too-late confirmed his confirmation to act as Lieutenant-Governor and Commander-in-Chief of the Province. When, on the date named, the United German Societies gathered about the little grass-plot at the western end of City Hall

to celebrate with song and bilingual eulogy the planting in Leisler's honor of the two young oak trees sent from Frankfort-on-the-Main, Park Commissioner Stover voiced the regret of many in declaring: 'There has been no monument raised to his memory. Not a park has been named for him, not a street, nor an alley. Over there stands a statue of Nathan Hale, who laid down his life in like cause, and some day I hope one of Leisler will stand near by.' It is true, Frankfort street, which intersects land once Leisler's bowery, was named for his native city. But even the place of his final sepulture is unknown, unmarked, and one is forced to concede the paradox noted by Mrs. Schuyler Van Rensselaer, who, in her monumental *History of New York City in the Seventeenth Century*, after relating the unending controversy as to Leisler's character and motives, goes on to say: 'This does not mean that Leisler, or even Leisler's name, is well remembered in New York. While students of its history have quarrelled about him more than about any other colonial character, its people have forgotten him.' If this be so, is it not time they should say with Vermilye: 'Let us turn his face from the wall!'

---

If relatively few residents of the inordinate metropolis are interested in its beginnings, there are those

in its suburb, New Rochelle, who recall the fact that in 1689 Leisler bought for Huguenots in England from John Pell, second proprietor of Pelham Manor, the six thousand acres now comprised within the township of New Rochelle, Westchester County, and during the year 1690, "while," as Mrs. Van Rensselaer points out, "his hands were overfull of public work and trouble," he sold off the whole of the tract to incoming Frenchmen at cost. New Rochelle yet has descendants of these original Huguenot settlers as well as at least one (Mrs. Montgomery Schuyler) of Leisler himself, and the Huguenot Chapter of the Daughters of the Revolution has commissioned Mr. Solon H. Borglum, the sculptor, to execute a statue of Leisler to stand upon the grounds of the Huguenot Association in that city. A photograph of Mr. Borglum's preliminary sketch for this statue will be found upon another page. While extended and persistent search has failed to bring to light any authentic portrait of Leisler, Mr. Borglum's conception is one profoundly expressive of the mingled benevolence, virile independence and vivid picturesqueness characterizing the first people's governor of New York. In physiognomy he has accented his subject's traditional French ancestry. The figure, admirably unconventional in poise and costuming, is intended to be seen upon a nine-foot pedestal. It stands sturdily

erect, the head thrown back and turned slightly to the left, the left arm uplifted and supported by the right hand which clasps the top of a long staff, the left hand, gauntleted, grasping a roll of deeds. A wide-brimmed hat, sword-belt, flowing wig and long cloak are effective features of the costume. In nobility of conception and sympathetic zest of execution Mr. Borglum's work is one which singularly commends itself to the appreciation of those who revere the memory of Jacob Leisler. The undertaking is local to New Rochelle, but those having it in charge welcome the coöperation of Leisler's admirers everywhere, an invitation to which there have been already numerous responses.

---

The songs used in the play have historical significance. Of 'Lilliburlero' Thomas Percy says: 'Slight and insignificant as these verses may now seem, they once had a more powerful effect than either the philippics of Demosthenes or Cicero, and contributed not a little toward the great revolution in 1688.' To which he cites the testimony of Burnet, a contemporary writer, who says of the song: 'The whole army, and at last the people, both in city and country, were singing it perpetually. And perhaps never had so slight a thing so great an effect.' 'Lilliburlero' and 'bullen a la'

are said to have been words of distinction used by the Irish in the massacre of 1641. Concerning 'When the King Enjoys His Own Again,' Joseph Ritson, the English antiquary, writes: 'And as a tune is said to have been a principal means of depriving King James of his crown, this very air, upon two memorable occasions, was very near being equally instrumental in replacing it on the head of his son.'

*Moderato.*

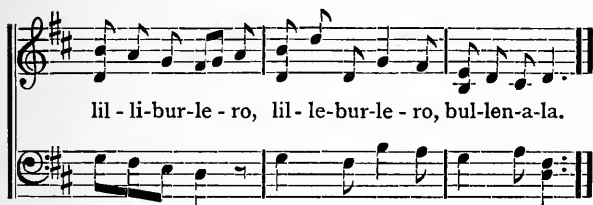
I. { Ho, Bro-der Teague, dost hear de de - cree?  
 { Dat we shall have a new dep - u - tee?

Lil - li - bur - le - ro, bul - len - a - la, {  
 Lil - li - bur - le - ro, bul - len - a - la, {

Le - ro, le - ro, lil - le - bur - le - ro,

Lil-le-bur-le - ro, bul-len-a - la, Le-ro, le - ro,





## LILLIBURLERO

[*Words attributed to Lord Wharton, 1686*]

Ho, Broder Teague, dost hear de decree?

Lilliburlero bullen a la,

Dat we shall have a new depute?

Lilliburlero bullen a la.

Lero, lero, lilliburlero,

Lilliburlero bullen a la.

Ho, by my shoul, it is de Talbot,

And he will cut all de English throat;

Tho, by my shoul, de English do praat,

De law's on dare side, and Creish knows what,

But if dispense do come from de Pope,

We'll hang Magna Charta and demselves in a rope.

And de good Talbot is made a lord,

And he with brave lads is coming aboard,

Who in France have taken a sware  
Dat dey will have no Protestant heir,

O, but why does he stay behind?  
Ho, by my shoul, 'tis a Protestant wind.

Now Tyrconnel is come ashore,  
And we shall have commissions gillore;

And he dat will not go to mass  
Shall turn out and look like an ass.

Now, now, de hereticks all go down,  
By Creish and St. Patrick, de nation's our own!

1. { What Book-er can prog-nos-ti-cate, or  
I think my-self to be as wise, as

speak of our king-dom's pres-ent state? }  
he that most looks in the skies, }

My skill goes be-yond the depths of the Pond, or

Riv - er in the great - est rain;

The first system of musical notation for 'Jacob Leisler'. It consists of a treble and a bass staff, both in G major (one sharp). The treble staff contains a melody with eighth and quarter notes. The bass staff provides a harmonic accompaniment with chords and moving lines. The lyrics 'Riv - er in the great - est rain;' are written below the treble staff.

By the which I can tell that all things will be

The second system of musical notation. The treble staff continues the melody, and the bass staff continues the accompaniment. The lyrics 'By the which I can tell that all things will be' are written below the treble staff.

well, When the King comes home in Peace a-gain.

The third system of musical notation, concluding the piece. The treble staff ends with a final cadence, and the bass staff provides a steady accompaniment. The lyrics 'well, When the King comes home in Peace a-gain.' are written below the treble staff.

## WHEN THE KING ENJOYS HIS OWN AGAIN

*[Words by Martin Packer, 1652]*

What Booker can prognosticate, or speak of our kingdom's present state?

I think myself to be as wise as he that most looks in the skies.

My skill goes beyond the depths of the Pond, or River in the greatest rain;

By the which I can tell that all things will be well when the King comes home in peace again.

There is no Astrologer, then say I, can search more deep in this than I

To give you a reason from the stars, what causeth peace or civill wars.

The man in the Moon may wear out his shoone in running after Charles his Wain;

But all to no end, for the times they will mend, when the King comes home in peace again.

Though for a time you may see Whitehall, with cobwebs hanging over the wal,

Instead of silk and silver brave as formerly it used to have;

(And) in every Roome the sweet perfume, delightful  
for that Princely Traine;

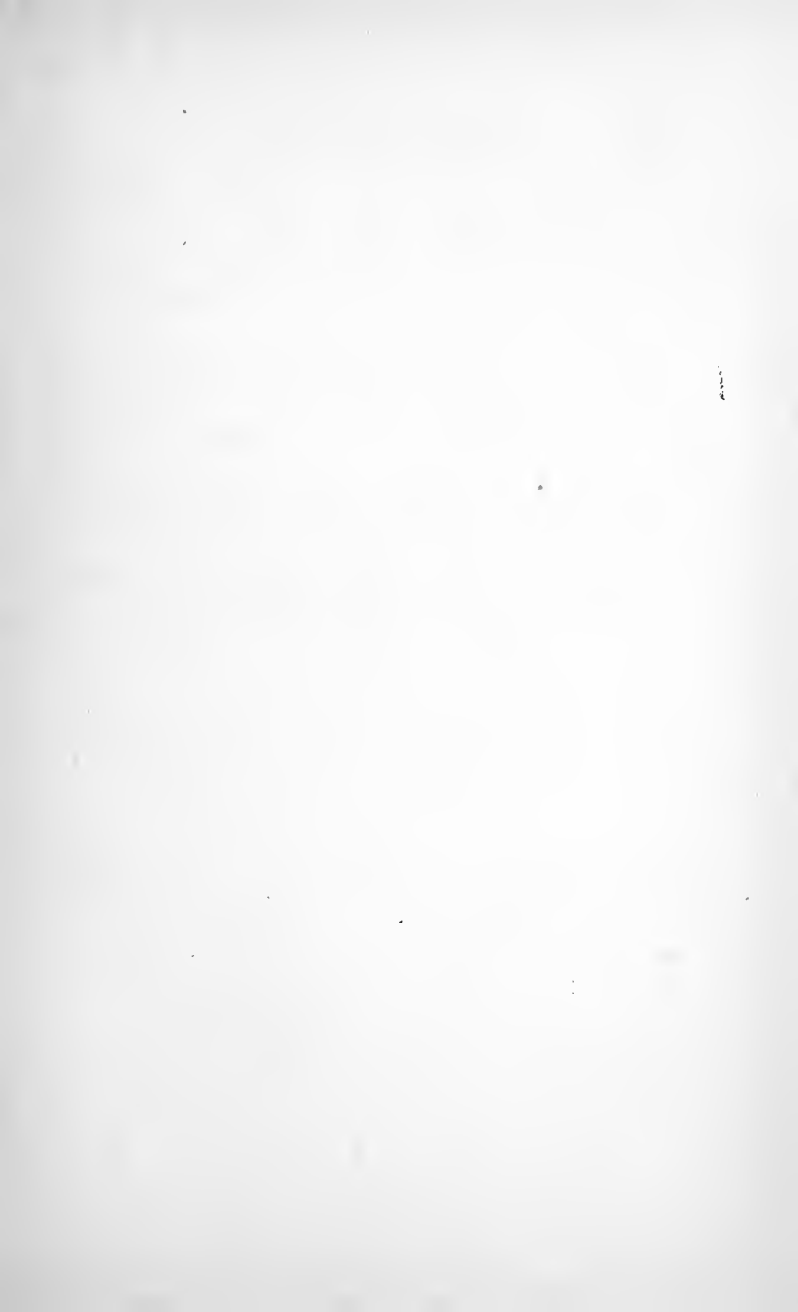
The which you shall see, when the time it shall be,  
that the King comes home in peace again.

Till then upon Ararat's hill, my hope shall cast her  
Anchor still;

Until I see some peaceful Dove bring home the branch  
which I do love.

Still will I wait till the waters abate, which most  
disturb my troubled brain;

For I'll never rejoyce till I hear that voice, that the  
King comes home in peace again.









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